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COUNTY OF LOS ANGELES

Public Health

JONATHAN E. FIELDING, M.D., M.P.H.
Director and Health Officer

JOHN F. SCHUNHOFF, Ph.D.
Chief Deputy

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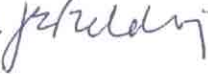
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Third District

Don Knabe
Fourth District

Michael D. Antonovich
Fifth District

February 6, 2007

TO: Each Supervisor

FROM: Jonathan E. Fielding, M.D., M.P.H. 
Director and Health Officer

SUBJECT: **PROTOCOLS FOR SEWER SPILL NOTIFICATION**

On January 30, 2007, the Board approved Supervisor Knabe's motion, as amended by Supervisor Yaroslavsky, concerning the Auditor-Controller's report on failed protocols which delayed notification of the Health Officer of sewer spills. Section 1.c) of the motion directed me to designate a senior manager to serve as day-to-day project manager and to advise the Board of his/her selection within one week. This is to respond to that instruction and to give you a brief update on actions taken to improve the notification system.

Alfonso Medina, Director of the Environmental Protection Bureau, which includes Recreational Health, has been designated as Project Manager. Mr. Medina reports to Terrance Powell, Acting Director of Environmental Health, but will also have direct access to me and Dr. Schunhoff, in carrying out this assignment.

Although the full report of actions taken will be contained in the first monthly report at the end of February, listed below are a few of the key actions we have already taken.

- The County Operator has been advised in writing to contact Environmental Health (Recreation Health Program) of all sewage spills reported, whether during normal work hours or after hours.
- The County Operator has been provided in writing with the names and home, cellular and pager numbers for staff responding to after hours response. Three names have been provided initially and three more will be added for redundancy to insure timely response.

- Environmental Health has established a data base of sewage spill reports (from 2002 to the present) that includes such information as date of the report, location, start and end time, reporting party, time reported to Public Health (Environmental Health), amount of spill, amount contained, cause and actions taken. The information will be color coded to indicate significant reporting delay, whether the spill reached the ocean, and if discharge into ocean was insignificant or required beach closure. This information will be posted initially on the web as a PDF file while search and other user friendly features are being developed.
- A letter was mailed to all 88 cities within Los Angeles County, the Los Angeles City Bureau of Sanitation and Los Angeles County Sanitation District advising that California Health and Safety Code, Section 5411.5 requires that sewage discharges that may reach ocean waters be reported to the local health officer. A procedure for reporting such spills and beach closure guidelines was also provided in the mailing.

I will provide the first monthly report by March 1, 2007. In the meantime, if you have any questions or need additional information, please let me know.

JEF:dc
PH:701:010

c: Chief Administrative Officer
County Counsel
Executive Officer, Board of Supervisors
Auditor-Controller
Public Health Commission



JONATHAN E. FIELDING, M.D., M.P.H.
Director and Health Officer

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Fifth District

March 30, 2007

TO: Each Supervisor

FROM: Jonathan Fielding, M.D., M.P.H. *Jonathan Fielding*
Director and Health Officer

SUBJECT: **PROTOCOLS FOR NOTIFICATION OF SEWAGE SPILLS**

On January 30, 2007, the Board approved Supervisor Knabe's motion, as amended by Supervisor Yaroslavsky, concerning the Auditor-Controller's report on failed protocols which delayed notification of the Health Officer of sewer spills. Sections 1 and 2 of the motion contained the following instructions:

1. Direct the Director of Public Health, in close consultation with the Public Health Commission, Auditor-Controller, Chief Administrative Officer and County Counsel to:
 - a. Lead a project to pursue all 15 Auditor-Controller recommendations to conclusion,
 - b. Assume personal accountability for the results,
 - c. Designate a senior manager to serve as day-to-day project manager and advise the Board of his/her selection within one week,
 - d. Work closely and consultatively with affected County Departments and Districts, the Los Angeles Regional Water Quality Control Board, Heal the Bay, Santa Monica Baykeepers, the City of Los Angeles and all other affected constituencies,
 - e. Submit in no more than 60 days and present to the Board as a set item on April 3, 2007, the approach proposed to implement each recommendation along with an action plan and time table to accomplish the specified results,
 - f. Include as part of the project plan the additional task of critiquing the County's public health disaster response plans based on the improvements planned as a result of the Auditor-Controller's report, and
 - g. Provide monthly project status reports to the Board pending the Auditor-Controller's one year follow-up report, and
2. Instruct the County Fire Chief, the Directors of Public Works and Beaches and Harbors, and request the County Sanitation Districts, the Los Angeles Regional Water Quality Control Board, Heal the Bay, Santa Monica Baykeepers, the City of Los Angeles and all other affected constituencies to work with the Director of Public Health and his staff in this effort.

Each Supervisor
March 30, 2007
Page 2

On February 6, 2007, I sent you with a report in which I named the day-to-day project manager and provided you with an update on actions taken as of that date. On March 5, 2007, I provided you with the first monthly status report.

This is the second monthly status report and the 60-day report. Attached are the 15 recommendations of the Auditor-Controller with the current status of each recommendation. Also attached is an action plan and time table to accomplish the specified results for the non-legislative recommendations. The CAO will include updates on the legislative changes as part of its regular legislative status reports to the Board.

I will provide you with the next monthly report by April 30, 2007. In the meantime, if you have any questions or need additional information, please let me know.

JEF:tp
PH:701:010(4)

Attachment

c: Chief Administrative Officer
County Counsel
Executive Officer, Board of Supervisors
Auditor-Controller
Director of Internal Services
Public Health Commission

**AUDITOR CONTROLLER'S RECOMMENDATIONS
REGARDING SEWER SPILL NOTIFICATION
STATUS REPORT – MARCH 30, 2007**

- 1. The Board of Supervisors consider requesting the Los Angeles Regional Water Quality Control Board to amend the Los Angeles County NPDES permit and WDR to require sewer system owners/operators to:**
 - a. At a minimum, operate and maintain their sewer system equipment at the level specified by the equipment's manufacturer with additional maintenance performed as necessary to prevent sewage spills from occurring.**
 - b. Perform regular tests of their pumping station alarm systems, backup pumps, and electrical generators to ensure they will function as intended during an emergency.**
 - c. Maintain documentation to support all maintenance and testing of their sewer systems.**
- 2. The Board of Supervisors consider requesting the Los Angeles Regional Water Quality Control Board to amend the Los Angeles County NPDES permit and WDR to require sewer system owners/operators to convene a work group of key stakeholders to develop specific maintenance standards for owners/operators of sanitary sewer systems in Los Angeles County.**
- 3. The Board of Supervisors consider requesting the Los Angeles Regional Water Quality Control Board to amend the Los Angeles County NPDES permit and WDR to require sewer system owners/operators to seek appropriate authority and funding to create and operate an ongoing independent sanitary sewer collection system monitoring program. The program would monitor sanitary sewer owners/operators for compliance with established maintenance standards and would include a written report on the monitoring results.**

Section 4 of the motion approved by the Board on January 30, 2007, instructed the Executive Officer, to submit a letter to the Los Angeles Water Quality Control Board requesting that they:

- a. Amend the Los Angeles County National Pollutant Discharge Elimination System Permit and Waste Discharge Requirements to require sewer system owners/operators to implement the Auditor-Controller's recommendations;**
- b. Convene a work group of key stakeholders to develop specific maintenance standards for owners/operators of sanitary sewer systems in the County; and**
- c. Seek appropriate authority and funding to create and operate an ongoing independent sanitary sewer collection system monitoring program which would monitor sanitary sewer owners/operators for compliance with established maintenance standards and would include a written report on the monitoring results.**

The Executive Office, in consultation with the Fourth District, held the letter until the Auditor-Controller completed the revisions to the report. The Auditor-Controller's memo was issued on March 30, 2007 and the letter can now be sent.

4. **The Board of Supervisors instruct the Department of Public Health, in collaboration with interested environmental groups and sewer system owners/operators, the Department of Beaches and Harbors, Fire Department/Lifeguard Division, and Los Angeles Regional Water Quality Control Board, to define the mandatory timeframe for reporting a sewage spill to the County's Public Health Officer.**

On February 14, 2007, Environmental Health staff met with Rita Robinson, Director of the City of Los Angeles Bureau of Sanitation and key staff to discuss spill reporting procedures and implementation concerns (see attached sign-in sheet).

On February 23, 2007, Public Health staff met with representatives of the following stakeholders: City of Los Angeles Sanitation Bureau, Los Angeles County Sanitation Districts, Regional Water Control Board, City of Long Beach Environmental Health, City of Pasadena Public Health Department, Heal the Bay, Santa Monica Baykeeper, County departments of Auditor-Controller, Beaches and Harbors, County Counsel, Internal Services, Public Works, and representatives of Assemblypersons Julie Brownley and Ted Lieu, and the Third Supervisorial District.

The purpose of the meeting was to review the Board of Supervisor's January 30, 2007 motion and action; review the Auditor-Controller's report on failed protocols which delayed notification of the Health Officer of sewer spills; review current legislation regarding sewage spill reporting; review actions taken to date in response to the Board's motion and Auditor-Controller's report; and to discuss the preparation of a draft response plan to address the Board's motion and Auditor-Controller's recommendations.

At this meeting, three sub-committees were formed for the purpose of determining spill reporting timeline requirements; developing a contractor notification/reporting policy; and developing a regional reporting call center.

A letter was mailed to the cities of Pasadena, Vernon, and Long Beach (cities with local health departments) requesting that sewage discharges which take place in their respective jurisdiction and have the potential to enter Los Angeles County Jurisdiction be reported to the Los Angeles County Health Officer.

On March 13, 2007, Environmental Health staff met with staff from the Internal Services Department (ISD) to discuss and evaluate the existing emergency call system and to clarify Environmental Health's emergency call list and procedures. A revised call list along with instructions was sent to ISD on March 16, 2007.

Meetings with all three sub-committees were held on March 20-21, 2007. Environmental Health has prepared minutes of these meetings which are being distributed to all sub-committee members for review and comments. Environmental Health will continue to work with members of the sub-committees, and provide the sub-committees' responses in the next monthly report.

On March 29, 2007, Dr. Fielding and key department staff met with Ronald Arias (City of Long Beach Health and Human Services Director), Darryl Sexton (City of Long Beach Health Officer), Jeff Benedict (City of Long Beach Environmental Health Director), and other Long Beach staff to discuss inter-jurisdictional sewage spill notification, a proposal for a regional call center, and pending legislation regarding sewage spills. The departments also exchanged information on issues affecting water quality and uniform standards for grading Los Angeles County beaches, including Long Beach. We committed to work together cooperatively on all elements of sewage spill reporting and disclosure.

Environmental Health staff is scheduled to meet with ISD information technology staff on April 4, 2007, to discuss the technical/software expansion capabilities of the current audio-data emergency call system.

5. **To make the timeframe determined above an enforceable requirement in Los Angeles County, the Board of Supervisors consider requesting the Los Angeles Regional Water Quality Control Board to amend the Wastewater Discharge Requirements to include a requirement that specifies when the County's Public Health Officer should be notified of a sewage spill.**

Section 4 of the motion approved by the Board on January 30, 2007, instructed the Executive Officer, to submit a letter to the Los Angeles Water Quality Control Board requesting that they:

- a. Amend the Los Angeles County National Pollutant Discharge Elimination System Permit and Waste Discharge Requirements to require sewer system owners/operators to implement the Auditor-Controller's recommendations;
- b. Convene a work group of key stakeholders to develop specific maintenance standards for owners/operators of sanitary sewer systems in the County; and
- c. Seek appropriate authority and funding to create and operate an ongoing independent sanitary sewer collection system monitoring program which would monitor sanitary sewer owners/operators for compliance with established maintenance standards and would include a written report on the monitoring results.

The Executive Office, in consultation with the Fourth District, held the letter until the Auditor-Controller completed the revisions to the report. The Auditor-Controller's memo was issued on March 30, 2007 and the letter can now be sent.

6. **The Board of Supervisors instruct the Department of Public Health, in consultation with the Public Health Commission, to develop an educational program for owners/operators of sanitary sewer systems, which shall include, but not limited to, clarification on how soon the public health officer must be contacted after a spill and the names and telephone numbers of all County representatives that should be notified following a sewage spill.**

After the three subcommittees make their recommendations, the Department of Public Health, in consultation with the Public Health Commission, will develop educational materials and distribute it to all owner/operators of sanitary sewer systems in the County. The Department will also develop and distribute information explaining how the general public can file a sewage discharge report.

7. **The Board of Supervisors consider seeking an amendment to the Water Code to include a requirement that the local public health officer be immediately notified in the event of a sewage spill.**
8. **The Board of Supervisors consider seeking a change in State law to permit civil fines to be imposed on persons who do not immediately notify the local public health officer when a sewage spill occurs.**

Assembly Member Julia Brownley has introduced the County-sponsored bill, AB 1391, which includes three issues contained in the Auditor-Controller's report (clarification of notification of the local health officer, civil penalties and water board membership). Assembly Member Ted Lieu, introduced AB 800, which addresses two of these issues. It is expected that the Brownley bill will be merged into the Lieu bill. The Chief Administrative Office and the County's legislative advocates are working closely with the legislators on these issue.

9. **Board of Supervisors instruct the Department of Public Health to provide the County operator with an emergency contact list that contains the names and telephone numbers of at least three employees who will be on-call to receive reports of sewage spills after normal business hours and to ensure that the contact list is always accurate and up-to-date.**
10. **Board of Supervisors instruct the Department of Public Health to instruct the County Operator in writing to report all sewage spills to an employee listed on the emergency contact list and to make repeated telephone calls if necessary until an employee is reached, and to discontinue the practice of leaving messages on voicemail or answering machine systems.**

On February 13, 2007, the County Operator was given a written memo, with the names and home, cellular and pager numbers for staff responding to weekend and after hours sewage discharge reports. The County Operator is instructed to contact everyone on the list provided by Environmental Health until a "live" person is reached. A total of seven names have been provided to ensure a timely and appropriate response. If a sewage discharge report is received on the weekend, Environmental Health has assigned two staff members of the seven to be on-call and reachable on a rotating basis, via home/cellular phone and pager, to respond as appropriate.

The County Operator was instructed to

- Report all sewage discharges to Environmental Health regardless of the amount or location of the sewage discharge or the disposition of sewage.
- Report all sewage discharges to Environmental Health received during normal, weekend, or after hours.
- Continue the reporting process until an Environmental Health employee is reached rather than leave a message.

Prior to receiving the February 13th memo, the County Operator only reported discharges to Environmental Health on the same day that the Operator received initial notification of the spill if the discharges were 1,000 gallons or more. When receiving reports of discharges of less than 1,000 gallons, the County Operator would notify Environmental Health the next business day.

On March 13, 2007, Environmental Health staff met with ISD staff from the Customer Assistance Division (which includes the emergency operator unit), to discuss the automated notification system and clarify Environmental Health's emergency call list and procedures.

On March 16, 2007, the County Operator was given documents that revised the list of emergency call responders along with instructions clarifying Environmental Health's emergency protocol.

11. **The Board of Supervisors instruct the Department of Public Health to develop policies and procedures to centralize the reporting and tracking of all sewage spills within the Department's Recreational Health Program.**

On February 1, 2007, all staff members of the Recreational Health Program were trained on protocols for receiving sewage discharge reports from responsible agencies or the County Operator.

On March 12, 2007, Environmental Health reorganized the Recreational Health Program to form the Pool Inspection Program and the Water Quality Program. Environmental Health staff assigned to the Water Quality Program will be responsible for monitoring fresh and ocean water quality, including implementing appropriate actions when water quality standards are not met such as related to sewage spills or discharges.

Environmental Health has developed a Sewage Discharge Incident Report Form that will be utilized by all Environmental Health units that respond to sewage discharge incidents from sources other than those agencies required to report discharges. For example, housing or food inspectors may learn of a sewage discharge from a multi-family housing complex or a restaurant where the sewage is going from private property onto the street. In this manner, sewage discharges from any source that may potentially impact waters, if known to any unit of Environmental Health, will be reported to the Water Quality Program. On March 16 2007, a directive was issued to Environmental Health staff that implements these reporting procedures. These reporting procedures were reinforced during meetings with unit supervisors on March 29.

On March 15, 2007, Environmental Health staff assigned to the Water Quality Program were trained on protocols for receiving sewage discharge reports from the County Operator and/or responsible agencies.

Newly assigned Environmental Health staff to the Water Quality Program are currently being trained on procedures for collecting ocean water samples and emergency response in order to increase response capacity.

12. **The Board of Supervisors instruct the Department of Public Health to require Recreational Health Program to immediately begin documenting and tracking all reports of sewage spills, and providing reference/tracking numbers to persons reporting sewage spills.**

As reported to you in our February 6, 2007 memorandum, Environmental Health established a database of sewage spill reports (from 2002 to the present) that includes such information as the date of report, location, start and end time, reporting party, cause and actions taken. The information is color coded to indicate significant reporting delay, reported to Public Health (Environmental Health), amount of spill, amount contained, whether the spill reached the ocean, and if discharge into ocean was insignificant or required beach closure. This information is currently being posted on the web as a PDF file and Environmental Health staff is updating it on a weekly basis. For the month of January, Environmental Health received 21 sewage discharge reports which resulted in one beach closure. During the month of February, Environmental Health received 44 sewage discharge reports that resulted in three beach closures. From March 1 to March 28, 2007, Environmental Health received 61 sewage discharge reports. Of the 61 reports, none resulted in beach closures.

A web-based sewage discharge tracking database is being developed which will allow Environmental Health staff to seamlessly post updated information on the website. The website will eventually allow a user to query sewage spills based on certain parameters.

13. **The Board of Supervisors instruct the Department of Beach and Harbors and the Fire Department to submit a reimbursement claim to the Los Angeles County Sanitation Districts for costs incurred in responding to the January 2006 Manhattan Beach sewage spill.**

The Fire Department advised that a claim was submitted to the Los Angeles County Sanitation District the week of February 19, 2007. The Department of Beaches and Harbors claim has been filed.

14. **The Board of Supervisors consider requesting the Governor to appoint someone with an expertise in public health to fill the vacant membership position on the Los Angeles Regional Water Board.**

- 15. The Board of Supervisors consider seeking an amendment to the Water Code to require that at least one of the Water Board's seven membership categories include someone with a public health background.**

Section 3 of the motion approved by the Board on January 30, 2007, instructed the Executive Officer, to submit a letter, signed by the Board, and the Auditor-Controller's Report, to Governor Schwarzenegger and the Los Angeles County Legislative Delegation:

- a. Indicating Board support of the County Public Health Commission's recommendation to have a public health expert on the Los Angeles Regional Water Quality Control Board,
- b. Requesting consideration of a change in the Water Code to require at least one Water Board member to have a public health background, and
- c. Suggesting that they consider investigating whether the problems Los Angeles County experience in reporting and documenting potentially harmful sewage spills as required by law are also occurring elsewhere in the State.

The Executive Office, in consultation with the Fourth District, held the letter until the Auditor-Controller completed the revisions to the report. The Auditor-Controller's memo was issued on March 30, 2007 and the letter can now be sent.

Action Plan

Auditor-Controller's Recommendations

No.	RECOMMENDATION	LEAD	ACTION	ISSUES/COMMENTS	TARGET DATES	STATUS
4	The Board of Supervisors instruct the Department of Public Health, in collaboration with interested environmental groups and sewer system owners/operators, the Department of Beaches and Harbors, Fire Department/Lifeguard Division, and Los Angeles Regional Water Quality Control Board, to define the mandatory timeframe for reporting a sewage spill to the County's Public Health Officer.	DPH	<p>Environmental Health staff met with Rita Robinson and key staff from the LA City Bureau of Sanitation to discuss spill reporting procedures and implementation concerns.</p> <p>Public Health staff met with all stakeholders to review the Board's motion and action, review the Auditor-Controller's report, review current legislation regarding sewage spill reporting, review actions taken to date in response to the Board's motion and Auditor-Controller's report, and to discuss preparation of a draft response plan to address the Board's motion and Auditor-Controller's recommendations.</p> <p>A letter was mailed to the cities of Pasadena, Vernon, and Long Beach requesting that sewage discharges which take place in their respective jurisdiction and have the potential to enter Los Angeles County jurisdiction be reported to the Los Angeles County Health Officer.</p>	<p>EH shared reporting procedures and exchanged contact information of key personnel to insure effective communication and actionable information during sewage spill reporting</p> <p>At this meeting, three subcommittees were formed for the purpose of 1) determining spill reporting timeline requirements, 2) developing a contractor notification/reporting policy and 3) developing a regional reporting call center.</p>	<p>Sub-committees scheduled to meet within 30 days. 3-23-07</p>	<p>Completed Meeting held on 2-14-07</p> <p>Completed Meeting held on 2-23-07</p> <p>Completed Letter mailed on 2-16-07.</p>

No.	RECOMMENDATION	LEAD	ACTION	ISSUES/COMMENTS	TARGET DATES	STATUS
			<p>Environmental Health staff met Margo Noll from Internal Services Department to discuss and evaluate the existing emergency call system and to clarify Environmental Health's emergency call list and procedures.</p> <p>Environmental Health staff met with members of all three sub-committees. Environmental Health is preparing reports to memorialize the discussion and findings derived from these meetings. These reports will be distributed to all sub-committee members for review and comments.</p>	<p>Further research analysis is required regarding the Service Center Program and time stamping capabilities.</p> <p>Environmental Health will continue to work with members of the sub-committees, and will provide the sub-committee's responses in the next monthly report.</p>	<p>Meeting scheduled for 3-13-07</p>	<p>Completed Meeting held on 3-13-07. A follow-up meeting is to be scheduled ASAP.</p> <p>Meetings were held on March 20-21, 2007.</p>

No.	RECOMMENDATION	LEAD	ACTION	ISSUES/COMMENTS	TARGET DATES	STATUS
			Public Health staff are scheduled to meet with the Long Beach Health Officer to discuss the regional call center.	On March 29, 2007, Dr. Fielding and key department staff met with Ronald Arias (City of Long Beach Health and Human Services Director), Darryl Sexton (City of Long Beach Health Officer), Jeff Benedict (City of Long Beach Environmental Health Director), and other Long Beach staff to discuss inter-jurisdictional sewage spill notification, a proposal for a regional call center, and pending legislation regarding sewage spills. The departments also exchanged information on issues affecting water quality and uniform standards for grading Los Angeles County beaches, including Long Beach. We committed to work together cooperatively on all elements of sewage spill reporting and disclosure.	Meeting is scheduled for 3-29-07	Completed Meeting held on 3-29-07

No.	RECOMMENDATION	LEAD	ACTION	ISSUES/COMMENTS	TARGET DATES	STATUS
			Environmental Health staff is scheduled to meet with ISD information technology staff on April 4, 2007, to discuss the technical/software expansion capabilities of the current audio-data emergency call system.	This is a follow-up meeting to secure technical information regarding ISD call center expansion capability as well as information in which to draft scope-of-work specifications for RFP contractor operated regional call center.	Meeting is scheduled for 4-4-07	
6	The Board of Supervisors instruct the Department of Public Health, in consultation with the Public Health Commission, to develop an educational program for owners/operators of sanitary sewer systems, which shall include, but not limited to, clarification on how soon the public health officer must be contacted after a spill and the names and telephone numbers of all County representatives that should be notified following a sewage spill.		After the three subcommittees make their recommendations, the Department of Public Health, in consultation with the Public Health Commission, will develop educational materials and distribute it to all owner/operators of sanitary sewer systems in the County. The Department will also develop and distribute information explaining how the general public can file a sewage discharge report.		Educational materials and distribution plan to be developed by May 31.	

No.	RECOMMENDATION	LEAD	ACTION	ISSUES/COMMENTS	TARGET DATES	STATUS
9	Board of Supervisors instruct the Department of Public Health to provide the County operator with an emergency contact list that contains the names and telephone numbers of at least three employees who will be on-call to receive reports of sewage spills after normal business hours and to ensure that the contact list is always accurate and up-to-date.		<p>The County Operator has been provided in writing with the names and home, cellular and pager number for staff responding to weekend and after hours sewage discharge reports. If a sewage discharge report is received after hours during the work week, the County Operator is instructed to contact everyone on the list provided by Environmental Health until a "live" person is reached. If a sewage discharge report is received on the weekend, Environmental Health has assigned two staff members to be on-call and reachable, via home/cellular phone and pager, to respond as appropriate.</p> <p>The County Operator was provided with a list of seven employees, each with three modes of communication, who can be called to receive after-hour reports.</p> <p>The County operator was provided with a monthly calendar of the employees who will be on-call to receive reports of sewage spills during weekend hours (Friday at 5:30 pm to Monday at 7:00 am).</p>			<p>Completed Letter mailed on 2-13-07.</p> <p>Completed Letter mailed 2-14-07.</p> <p>Completed Letter mailed on 3-16-07.</p>

No.	RECOMMENDATION	LEAD	ACTION	ISSUES/COMMENTS	TARGET DATES	STATUS
10	Board of Supervisors instruct the Department of Public Health to instruct the County Operator in writing to report all sewage spills to an employee listed on the emergency contact list and to make repeated telephone calls if necessary until an employee is reached, and to discontinue the practice of leaving messages on voicemail or answering machine systems.		<p>The County Operator has been instructed to report all sewage discharges to Environmental Health regardless of the amount or location of the sewage discharge or the disposition of sewage; report all sewage discharges to Environmental Health received during normal, weekend or after hours; and continue the reporting process until an Environmental Health employee is reached rather than leaving a message.</p> <p>On March 13, 2007, Environmental Health staff met with ISD staff from the Customer Assistance Division (which includes the emergency operator unit), to discuss the automated notification system and clarify Environmental Health's emergency call list and procedures.</p> <p>On March 16, 2007, the County Operator was given documents that revised the list of emergency call responders along with instructions clarifying Environmental Health's emergency protocol.</p>	Prior to receiving the February 13 th memo, the County Operator only reported discharges to Environmental Health on the same day that the Operator received initial notification of the spill if the discharges were 1,000 gallons or more. When receiving reports of discharges of less than 1,000 gallons, the County Operator would notify Environmental Health the next business day.		<p>Letter mailed on 2-13-07.</p> <p>Completed Meeting was held on 3-13-07</p> <p>Completed Letter mailed on 3-16-07.</p>

No.	RECOMMENDATION	LEAD	ACTION	ISSUES/COMMENTS	TARGET DATES	STATUS
11	The Board of Supervisors instruct the Department of Public Health to develop policies and procedures to centralize the reporting and tracking of all sewage spills within the Department's Recreational Health Program.		<p>All staff members of the Recreational Health Program were trained on protocols for receiving sewage discharge reports from the County Operator and responsible agencies.</p> <p>Environmental Health reorganized the Recreational Health Program to form the Pool Inspection Program and the Water Quality Program.</p> <p>Newly assigned Environmental Health staff to the Water Quality Program are currently being trained on procedures for collecting ocean water samples and emergency response in order to increase response capacity.</p> <p>Environmental Health staff assigned to the Water Quality Program were trained on protocols for receiving sewage discharge reports from the County Operator and/or responsible agencies.</p>	<p>This action will provide specific focus and responsibility to staff assigned to the Water Quality program in the areas of fresh and ocean water quality monitoring, including implementing actions when water quality standards are not met, such as related to sewage spills and discharges.</p>		<p>Completed Training provided on 2-1-07.</p> <p>Completed on 3-12-07.</p> <p>Initial training on 3-12-07 and ongoing for remaining staff.</p> <p>Completed Training provided on 3-15-07</p>

No.	RECOMMENDATION	LEAD	ACTION	ISSUES/COMMENTS	TARGET DATES	STATUS
			<p>Environmental Health has developed a Sewage Discharge Incident Report Form that will be utilized by all Environmental Health units that respond to sewage discharge incidents from sources other than those agencies required to report discharges. For example, housing and food inspectors may learn of a sewage discharge from a multi-family housing complex or a restaurant where the sewage is going from private property on to the street.</p> <p>A directive was distributed to all Environmental Health Bureau Directors that standardizes the reporting procedures for sewer discharges for all units of Environmental Health. This directive ensures that sewage discharges from any source that may potentially impact waters, if known to any unit of Environmental Health, will be reported to the Water Quality Program.</p> <p>Environmental Health Bureau Directors of the Food and Housing Inspection Programs met with their unit supervisors to present the directive, thereby insuring uniform compliance to the reporting and notification procedures associated with sewage spills.</p>	<p>This action will enhance Environmental Health's response to sewage discharges that may potentially have impact on ocean waters as discharges not addressed through requisite reporting agencies will be accounted for.</p>		<p>Completed on 3-16-07.</p> <p>Completed on 3-16-07</p> <p>Completed Meeting held on 3-29-07.</p>

No.	RECOMMENDATION	LEAD	ACTION	ISSUES/COMMENTS	TARGET DATES	STATUS
12	The Board of Supervisors instruct the Department of Public Health to require Recreational Health Program to immediately begin documenting and tracking all reports of sewage spills, and providing reference/tracking numbers to persons reporting sewage spills.		<p>Environmental Health established a database of sewage spill reports (from 2002 to present) that includes such information such as the date of report, location, start and end time, reporting party, cause and actions taken. The information is color coded to indicate significant reporting delay, reported to Public Health (Environmental Health), amount of spill, amount contained, whether the spill reached the ocean, and if discharge into ocean was insignificant or required beach closure.</p> <p>Environmental Health staff met with staff from Public Health Web Infomatics to establish a web-based sewage tracking database.</p>	<p>This information is currently being posted on the web as a PDF file and Environmental Health staff is updating it on a weekly basis.</p> <p>This database will allow EH to seamlessly post updated information on the Environmental Health website. The website will eventually allow a user to query sewage spills based on certain parameters.</p>		<p>Updated and posted weekly (Fridays)</p> <p>Completed Meeting held on 3-1-07.</p>

No.	RECOMMENDATION	LEAD	ACTION	ISSUES/COMMENTS	TARGET DATES	STATUS
			Environmental Health staff has begun testing of the new web-based database.	Initial testing has revealed several deficiencies that require resolution before implementation. As a result, a revised version was provided to Environmental Health on March 28, 2007 for additional testing.	If the database meets Environmental Health's needs, posting of the database on the Environmental Health website is expected to be completed on April 16, 2007.	Initiated on 3-16-07
13	The Board of Supervisors instruct the Department of Beach and Harbors and the Fire Department to submit a reimbursement claim to the Los Angeles County Sanitation Districts for costs incurred in responding to the January 2006 Manhattan Beach sewage spill.	Dept. of Fire and Beach and Harbors	<p>The Fire Department advised that a claim was submitted to the Los Angeles County Sanitation District.</p> <p>The Department of Beaches and Harbors has advised that a claim was submitted to the Los Angeles County Sanitation District.</p>			<p>Completed during the week of 2-29-07.</p> <p>Completed during the month of March.</p>



J. TYLER McCaULEY
AUDITOR-CONTROLLER

**COUNTY OF LOS ANGELES
DEPARTMENT OF AUDITOR-CONTROLLER**

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500 WEST TEMPLE STREET, ROOM 525
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March 30, 2007

TO: Supervisor Zev Yaroslavsky, Chairman
Supervisor Gloria Molina
Supervisor Yvonne B. Burke
Supervisor Don Knabe
Supervisor Michael D. Antonovich

FROM: J. Tyler McCauley 
Auditor-Controller

SUBJECT: **REVISED SEWAGE SPILL DATA**

On January 30, 2007, the Board of Supervisors instructed my office to review and correct audit data in my January 24, 2007, Report on Sewage Spills related to spills into the various watershed areas, and the reporting of sewage spills to the City of Long Beach Health Officer and the County of Los Angeles Public Health Officer. The following is a report on the approach we used to refine the sewage spill data and the revised data.

Approach

At our request, the Department of Public Works (DPW), the Los Angeles County Sanitation Districts (LACSD), and the Los Angeles City Bureau of Sanitation (LACBS) provided a listing of sewage spills of 1,000 gallons or greater that occurred from January 2002 through July 2006. We also requested DPW's Watershed Management Division and LACSD to verify the watershed area where spills originated. In addition, we contacted the County of Los Angeles Public Health Officer and the City of Long Beach Health Officer to determine whether they were notified of the spills. Some of the spills occurred in watershed areas that are tributary to State waters outside the County of Los Angeles. Accordingly, we contacted the public health officers for Orange and Ventura counties to verify whether dischargers notified them of spills in watershed areas that discharge in their jurisdiction.

Results of Review

Revised Spill Data

From January 2002 through July 2006, DPW, LACSD, and LACBS reported that there were 241 spills of 1,000 gallons or more.¹ The details are listed below. It should be noted that not all sewage spills reached ocean waters. In some cases, the spills were contained and returned to the sanitary sewer system. Because of a variety of technical uncertainties (e.g., spill volume, amount of spill recovered, existence and length of concrete and/or soft bottom channels, amount of percolation, distance between spill origination point and ocean, existing channel flow, etc.), we are unable to provide an estimate of how much sewage actually reached ocean waters or flowed to jurisdictions outside Los Angeles County. In addition, in some instances, the dischargers voluntarily reported spills that did not reach waters of the State.

- 94 spills, totaling 2,838,441 gallons, occurred within the Santa Monica Bay Watershed Area, which is tributary to the Santa Monica Bay.
- 92 spills, totaling 19,149,560 gallons, occurred within the Los Angeles River Watershed Area, which is tributary to the Long Beach Harbor/San Pedro Bay.
- 21 spills, totaling 317,031 gallons, occurred within the Dominguez Channel Watershed Area, which is tributary to the Los Angeles Harbor/San Pedro Bay.
- 23 spills, totaling 219,400 gallons, occurred within the San Gabriel Valley Watershed Area, which is tributary to ocean waters at the border between the City of Long Beach and Orange County.
- Three spills, totaling 33,500 gallons, occurred within the Antelope Valley Watershed Area, which is an enclosed basin and does not discharge to ocean waters.
- Five spills, totaling 1,969,600 gallons, occurred within the Santa Clara Watershed Area, which is tributary to ocean waters in Ventura County.
- Two spills, totaling 6,100 gallons, occurred within the Channel Islands Watershed Area.
- One spill, totaling 1,000 gallons, could not be traced to a specific watershed area due to insufficient information provided by the discharger.

¹ Our January 24, 2007 report identified 208 spills, which we subsequently determined contained one duplicate spill. The revised spill data includes an additional 34 spills reported by the dischargers. Some of the additional 34 spills were large volume wet weather spills into the Los Angeles River Watershed Area, including a series of spills, totaling approximately 15 million gallons, on February 19, 2005. These spills added significantly to the total reported spill volume.

Health Officer Notification

From the spill data, we attempted to verify whether dischargers notified the local health officer(s) of all spills and whether the health officer maintained records of the spill notifications. We found that: 1) dischargers did not always notify the local health officer of spills affecting their jurisdiction, and 2) health officers did not always document reports of sewage spills. Specifically:

Los Angeles County Public Health Officer - Of the 241 spills, dischargers reported they notified the County Public Health Officer of all spills regardless of the watershed area. Of the 241 spills allegedly reported to the Public Health Officer, 205 (85%) could not be traced to the Public Health Officer's records.

Long Beach City Health Officer² - Of the 241 sewage spills, 92 (38%) originated in the Los Angeles River Watershed Area, which is tributary to the Long Beach Harbor/San Pedro Bay. Of these spills, the dischargers indicated they reported 73 (79%) spills to Long Beach City's Health Officer, although all spills may not have reached waters within the City of Long Beach. The City Health Officer reported being notified of only two (3%) spills. For the remaining 71 spills, the Health Officer stated that in 52 (73%) instances it was not notified and in 19 (27%) instances it is unknown whether notification occurred.

The City of Long Beach's Department of Health reported that, until very recently, the City did not actively document spill notification information and that its information represents the City's "best estimation" as to whether or not spills were reported to the City's Health Officer.

Orange County Health Officer – Of the 241 spills, 23 (9%) originated in the San Gabriel River Watershed Area, which is tributary to ocean waters in Orange County. Dischargers stated they reported 13 (57%) spills occurring in the San Gabriel River Watershed Area to the Orange County Health Officer, although all spills may not have reached waters within Orange County. The Orange County Health Officer stated that it was notified of two (15%) spills.

² Prior to January 2007, DPW indicated that it reported all spills discharged from its systems to the Los Angeles County Public Health Officer and not to other health officers. Since January 2007, DPW has begun reporting spills to the Long Beach City Health Officer and has had no spills to report to Orange or Ventura counties. In addition, LACSD indicated that although it reported all spills discharged from its systems to waters of the State to the Los Angeles County Public Health Officer, it did not report spills reaching the Los Angeles River and Santa Clara River Watershed Areas to the Long Beach City and Ventura County Health Officers. LACSD indicated that it now notifies these health officers of all spills that may affect waters within their jurisdiction. LACBS indicated that it notifies the County Public Health Officer of all spills from its systems and it also notifies the Long Beach City Health Officer if the spill is tributary to the Los Angeles River.

Ventura County Health Officer³ – Of the 241 spills, five (2%) originated in the Santa Clara Watershed Area, which is tributary to ocean waters in Ventura County. Dischargers stated they reported one (20%) spill occurring in the Santa Clara Watershed Area to the Ventura County Health Officer, although all spills may not have reached waters within Ventura County. The Ventura County Health Officer stated that it recalled being notified of the one spill, but not the remaining four spills.

Conclusion

The reporting of sewage spills by dischargers and the tracking of sewage spills by the health officers need to be improved. Recommendations 7, 8, 11, and 12 in our January 24, 2007 Sewage Spill Report adequately address these issues, and therefore we have no additional recommendations.

Additional Issue

During our review of the spill data provided by DPW, we noted a 1.2 million gallon sewage spill that occurred in the Santa Clara Riverbed in the Santa Clara Watershed Area in June 2003. According to DPW, the riverbed was dry at the time of the spill and it did not reach State waters. However, the spill occurred within 500 feet of a residential community. DPW stated that it immediately dispatched crews to remove solids discharged into the riverbed. Although the spill was reported to the County Public Health Officer, it is unclear whether State law requires such reporting to the local health officer.

Recommendation

The Board of Supervisors instruct the Department of Public Health, in conjunction with the Public Health Commission, the Auditor-Controller, and County Counsel to determine whether new State laws are needed to ensure the protection of public health when sewage spills discharge into dry riverbeds that are near residential communities.

Please contact me if you have any questions, or your staff may contact DeWitt Roberts at (213) 974-8423.

JTM:DR:JMS

c: Public Health Commission
 Chief Administrative Officer
 Executive Officer, Board of Supervisors
 Public Information Officer
 County Counsel

³ See footnote 2.

Board of Supervisors

March 30, 2007

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Audit Committee

Director, Public Health Department

Director, Department of Public Works

General Manager, Los Angeles County Sanitation Districts

Director, Los Angeles City Bureau of Sanitation

Director, Long Beach City Department of Health and Human Services

Director, Environmental Health, Orange County

Director, Environmental Health, Ventura County

Executive Officer, Los Angeles Regional Water Quality Control Board

Heal the Bay

Santa Monica Baykeeper



JONATHAN E. FIELDING, M.D., M.P.H.
Director and Health Officer

JOHN F. SCHUNHOFF, Ph.D.
Chief Deputy Director

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BOARD OF SUPERVISORS

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Fifth District

May 11, 2007

TO: Each Supervisor

FROM: Jonathan E. Fielding, M.D., M.P.H.
Director and Health Officer

A handwritten signature in black ink, appearing to read "Jonathan E. Fielding".

SUBJECT: **PROTOCOLS FOR NOTIFICATION OF SEWAGE SPILLS**

On January 30, 2007, the Board approved Supervisor Knabe's motion, as amended by Supervisor Yaroslavsky, concerning the Auditor-Controller's report on failed protocols which delayed notification of the Health Officer of sewer spills. Sections 1 and 2 of the motion contained the following instructions:

1. Direct the Director of Public Health, in close consultation with the Public Health Commission, Auditor-Controller, Chief Administrative Officer and County Counsel to:
 - a. Lead a project to pursue all 15 Auditor-Controller recommendations to conclusion,
 - b. Assume personal accountability for the results,
 - c. Designate a senior manager to serve as day-to-day project manager and advise the Board of his/her selection within one week,
 - d. Work closely and consultatively with affected County Departments and Districts, the Los Angeles Regional Water Quality Control Board, Heal the Bay, Santa Monica Baykeepers, the City of Los Angeles and all other affected constituencies,
 - e. Submit in no more than 60 days and present to the Board as a set item on April 3, 2007, the approach proposed to implement each recommendation along with an action plan and time table to accomplish the specified results,
 - f. Include as part of the project plan the additional task of critiquing the County's public health disaster response plans based on the improvements planned as a result of the Auditor-Controller's report, and
 - g. Provide monthly project status reports to the Board pending the Auditor-Controller's one year follow-up report, and
2. Instruct the County Fire Chief, the Directors of Public Works and Beaches and Harbors, and request the County Sanitation Districts, the Los Angeles Regional Water Quality Control Board, Heal the Bay, Santa Monica Baykeepers, the City of Los Angeles and all other affected constituencies to work with the Director of Public Health and his staff in this effort.

Each Supervisor
May 11, 2007
Page 2

On April 3, 2007, the Board approved a motion by Supervisor Knabe, that the Board, consistent with the Auditor-Controller's recommendation, instruct the Director of Public Health, in conjunction with the Public Health Commission, the Auditor-Controller, County Counsel and affected agencies and constituencies, to determine whether State laws should be amended to further ensure the protection of the public's health when raw sewage is discharged into dry riverbeds and other locations. Action and status reporting on this matter should be integrated with that of the other sewage spill-related recommendations previously approved by the Board.

On February 6, 2007, I sent you with a report in which I named the day-to-day project manager and provided you with an update on actions taken as of that date. On March 5, 2007, I provided you with the first monthly status report. On March 30, 2007, I provided the sixty-day report for the Board agenda of April 3, 2007.

This is the third monthly status report. Attached are the 16 recommendations of the Auditor-Controller with the current status of each recommendation. Also attached is an action plan and time table to accomplish the specified results for the non-legislative recommendations. The CAO will include updates on the legislative changes as part of its regular legislative status reports to the Board.

I will provide you with the next monthly report by June 1, 2007. In the meantime, if you have any questions or need additional information, please let me know.

JEF:tp
PH:701:010(5)

Attachments

c: Chief Administrative Officer
County Counsel
Executive Officer, Board of Supervisors
Auditor-Controller
Director of Internal Services
Public Health Commission

**AUDITOR CONTROLLER'S RECOMMENDATIONS
REGARDING SEWER SPILL NOTIFICATION
STATUS REPORT – MAY 11, 2007**

1. **The Board of Supervisors consider requesting the Los Angeles Regional Water Quality Control Board to amend the Los Angeles County NPDES permit and WDR to require sewer system owners/operators to:**
 - a. **At a minimum, operate and maintain their sewer system equipment at the level specified by the equipment's manufacturer with additional maintenance performed as necessary to prevent sewage spills from occurring.**
 - b. **Perform regular tests of their pumping station alarm systems, backup pumps, and electrical generators to ensure they will function as intended during an emergency.**
 - c. **Maintain documentation to support all maintenance and testing of their sewer systems.**
2. **The Board of Supervisors consider requesting the Los Angeles Regional Water Quality Control Board to amend the Los Angeles County NPDES permit and WDR to require sewer system owners/operators to convene a work group of key stakeholders to develop specific maintenance standards for owners/operators of sanitary sewer systems in Los Angeles County.**
3. **The Board of Supervisors consider requesting the Los Angeles Regional Water Quality Control Board to amend the Los Angeles County NPDES permit and WDR to require sewer system owners/operators to seek appropriate authority and funding to create and operate an ongoing independent sanitary sewer collection system monitoring program. The program would monitor sanitary sewer owners/operators for compliance with established maintenance standards and would include a written report on the monitoring results.**

To implement Section 4 of the motion approved by the Board on January 30, 2007, the Executive Officer sent a letter to the Los Angeles Water Quality Control Board on April 4, 2007, requesting that they:

- a. **Amend the Los Angeles County National Pollutant Discharge Elimination System Permit and Waste Discharge Requirements to require sewer system owners/operators to implement the Auditor-Controller's recommendations;**
- b. **Convene a work group of key stakeholders to develop specific maintenance standards for owners/operators of sanitary sewer systems in the County; and**
- c. **Seek appropriate authority and funding to create and operate an ongoing independent sanitary sewer collection system monitoring program which would monitor sanitary sewer owners/operators for compliance with established maintenance standards and would include a written report on the monitoring results.**

This letter was temporarily delayed due to the revision of the Auditor-Controller's report relating to sewage spill data, which was included with the letter.

4. **The Board of Supervisors instruct the Department of Public Health, in collaboration with interested environmental groups and sewer system owners/operators, the Department of Beaches and Harbors, Fire Department/Lifeguard Division, and Los Angeles Regional Water Quality Control Board, to define the mandatory timeframe for reporting a sewage spill to the County's Public Health Officer.**

On February 14, 2007, Environmental Health staff met with Rita Robinson, Director of the City of Los Angeles Bureau of Sanitation and key staff to discuss spill reporting procedures and implementation concerns (see attached sign-in sheet).

On February 23, 2007, Public Health staff met with representatives of the following stakeholders: City of Los Angeles Sanitation Bureau, Los Angeles County Sanitation Districts, Regional Water Control Board, City of Long Beach Environmental Health, City of Pasadena Public Health Department, Heal the Bay, Santa Monica Baykeeper, County departments of Auditor-Controller, Beaches and Harbors, County Counsel, Internal Services, Public Works, and representatives of Assemblypersons Julie Brownley and Ted Lieu, and the Third Supervisorial District.

The purpose of the meeting was to review the Board of Supervisor's January 30, 2007 motion and action; review the Auditor-Controller's report on failed protocols which delayed notification of the Health Officer of sewer spills; review current legislation regarding sewage spill reporting; review actions taken to date in response to the Board's motion and Auditor-Controller's report; and to discuss the preparation of a draft response plan to address the Board's motion and Auditor-Controller's recommendations.

At this meeting, three sub-committees were formed for the purpose of determining spill reporting timeline requirements; developing a contractor notification/reporting policy; and developing a regional reporting call center.

A letter was mailed to the cities of Pasadena, Vernon, and Long Beach (cities with local health departments) requesting that sewage discharges which take place in their respective jurisdiction and have the potential to enter Los Angeles County Jurisdiction be reported to the Los Angeles County Health Officer.

On March 13, 2007, Environmental Health staff met with staff from the Internal Services Department (ISD) to discuss and evaluate the existing emergency call system and to clarify Environmental Health's emergency call list and procedures. A revised call list along with instructions was sent to ISD on March 16, 2007.

Meetings with all three sub-committees were held on March 20-21, 2007. Environmental Health has prepared minutes of these meetings which were distributed to all sub-committee members for review and comments. Environmental Health will continue to work with members of the sub-committees, and provide the sub-committees' responses in the next monthly report.

On March 29, 2007, Dr. Fielding and key department staff met with Ronald Arias (City of Long Beach Health and Human Services Director), Darryl Sexton (City of Long Beach Health Officer), Jeff Benedict (City of Long Beach Environmental Health Director), and other Long Beach staff to discuss inter jurisdictional sewage spill notification, a proposal for a regional call center, and pending legislation regarding sewage spills. The departments also exchanged information on issues affecting water quality and uniform standards for grading Los Angeles County beaches, including Long Beach. We committed to work together cooperatively on all elements of sewage spill reporting and disclosure.

Environmental Health staff met with ISD information technology staff on April 4, 2007, to discuss the technical/software expansion capabilities of the current audio-data emergency call system.

5. **To make the timeframe determined above an enforceable requirement in Los Angeles County, the Board of Supervisors consider requesting the Los Angeles Regional Water Quality Control Board to amend the Wastewater Discharge Requirements to include a requirement that specifies when the County's Public Health Officer should be notified of a sewage spill.**

To implement Section 4 of the motion approved by the Board on January 30, 2007, the Executive Officer sent a letter to the Los Angeles Water Quality Control Board on April 4, 2007, requesting that they:

- d. Amend the Los Angeles County National Pollutant Discharge Elimination System Permit and Waste Discharge Requirements to require sewer system owners/operators to implement the Auditor-Controller's recommendations;
- e. Convene a work group of key stakeholders to develop specific maintenance standards for owners/operators of sanitary sewer systems in the County; and
- f. Seek appropriate authority and funding to create and operate an ongoing independent sanitary sewer collection system monitoring program which would monitor sanitary sewer owners/operators for compliance with established maintenance standards and would include a written report on the monitoring results.

This letter was temporarily delayed due to the revision of the Auditor-Controller's report relating to sewage spill data, which was included with the letter.

6. **The Board of Supervisors instruct the Department of Public Health, in consultation with the Public Health Commission, to develop an educational program for owners/operators of sanitary sewer systems, which shall include, but not limited to, clarification on how soon the public health officer must be contacted after a spill and the names and telephone numbers of all County representatives that should be notified following a sewage spill.**

Environmental Health staff is currently receiving/reviewing comments provided by members of all three subcommittees. After the subcommittees submit their comments, the Department of Public Health, in consultation with the City of Los Angeles Bureau of Sanitation, Los Angeles County Sanitation Districts, and the Los Angeles County Department of Public Works, will develop a survey letter and mail it to the all contract cities and various sewer agencies. The purpose of the letter and survey is to 1) remind cities regarding their obligations under the California Health and Safety Code to report sewage spills in their jurisdiction to this Department, 2) advise all affected parties of the single 24 hour reporting telephone number (currently County Emergency Operator) 3) provide information as available on the proposed new regional call center, and 4) solicit comments as to what current policies/practices exist regarding sewage spill reporting procedures/requirements for sewer contractors, wastewater treatment plant operators and collection system personnel.

The results of this survey will assist staff in developing an educational program for owners/operators of sanitary sewer systems, as well as the development and distribution of information explaining how the general public can file a sewage discharge report.

7. **The Board of Supervisors consider seeking an amendment to the Water Code to include a requirement that the local public health officer be immediately notified in the event of a sewage spill.**
8. **The Board of Supervisors consider seeking a change in State law to permit civil fines to be imposed on persons who do not immediately notify the local public health officer when a sewage spill occurs.**

AB 800 by Assembly Members Lieu, Brownley, and Krekorian, is the County-sponsored bill which is seeking to implement these recommendations. The Chief Administrative Office and the County's legislative advocates are working closely with the legislators on these issues. The CAO will keep the Board informed of developments through its regular Sacramento updates.

9. **Board of Supervisors instruct the Department of Public Health to provide the County operator with an emergency contact list that contains the names and telephone numbers of at least three employees who will be on-call to receive reports of sewage spills after normal business hours and to ensure that the contact list is always accurate and up-to-date.**
10. **Board of Supervisors instruct the Department of Public Health to instruct the County Operator in writing to report all sewage spills to an employee listed on the emergency contact list and to make repeated telephone calls if necessary until an employee is reached, and to discontinue the practice of leaving messages on voicemail or answering machine systems.**

On February 13, 2007, the County Operator was given a written memo, with the names and home, cellular and pager numbers for staff responding to weekend and after hours sewage discharge reports. The County Operator is instructed to contact everyone on the list provided by Environmental Health until a "live" person is reached. A total of seven names have been provided to ensure a timely and appropriate response. If a sewage discharge report is received on the weekend, Environmental Health has assigned two staff members of the seven to be on-call and reachable on a rotating basis, via home/cellular phone and pager, to respond as appropriate.

The County Operator was instructed to

- Report all sewage discharges to Environmental Health regardless of the amount or location of the sewage discharge or the disposition of sewage.
- Report all sewage discharges to Environmental Health received during normal, weekend, or after hours.
- Continue the reporting process until an Environmental Health employee is reached rather than leave a message.

Prior to receiving the February 13th memo, the County Operator only reported discharges to Environmental Health on the same day that the Operator received initial notification of the spill if the discharges were 1,000 gallons or more. When receiving reports of discharges of less than 1,000 gallons, the County Operator would notify Environmental Health the next business day.

On March 13, 2007, Environmental Health staff met with ISD staff from the Customer Assistance Division (which includes the emergency operator unit), to discuss the automated notification system and clarify Environmental Health's emergency call list and procedures.

On March 16, 2007, the County Operator was given documents that revised the list of emergency call responders along with instructions clarifying Environmental Health's emergency protocol.

11. The Board of Supervisors instruct the Department of Public Health to develop policies and procedures to centralize the reporting and tracking of all sewage spills within the Department's Recreational Health Program.

On February 1, 2007, all staff members of the Recreational Health Program were trained on protocols for receiving sewage discharge reports from responsible agencies or the County Operator.

Environmental Health has developed a Sewage Discharge Incident Report Form that will be utilized by all Environmental Health units that respond to sewage discharge incidents from sources other than those agencies required to report discharges. For example, housing or food inspectors may learn of a sewage discharge from a multi-family housing complex or a restaurant where the sewage is going from private property onto the street. In this manner, sewage discharges from any source that may potentially impact waters, if known to any unit of Environmental Health, will be reported to the Water Quality Program. On March 16 2007, a directive was issued to Environmental Health staff that implements these reporting procedures. These reporting procedures were reinforced during meetings with unit supervisors on March 29.

On March 15, 2007, Environmental Health staff assigned to the Water Quality Program were trained on protocols for receiving sewage discharge reports from the County Operator and/or responsible agencies.

Newly assigned Environmental Health staff to the Water Quality Program are currently being trained on procedures for collecting ocean water samples and emergency response in order to increase response capacity.

On May 3, 2007, staff from the Water Quality Program met with Chiefs from the Housing Inspection Bureau. Water Quality staff clarified the sewage discharge reporting requirements expected of Housing Inspection Bureau staff responding to sewage discharges that may occur in the community. An updated sewage discharge reporting form was distributed.

12. The Board of Supervisors instruct the Department of Public Health to require Recreational Health Program to immediately begin documenting and tracking all reports of sewage spills, and providing reference/tracking numbers to persons reporting sewage spills.

As reported to you in our February 6, 2007 memorandum, Environmental Health established a database of sewage spill reports (from 2002 to the present) that includes such information as the date of report, location, start and end time, reporting party, cause and actions taken. The information is color coded to indicate significant reporting delay, reported to Public Health (Environmental Health), amount of spill, amount contained, whether the spill reached the ocean, and if discharge into ocean was insignificant or required beach closure. This information is currently being posted on the web as a PDF file and Environmental Health staff is updating it on a weekly basis.

Since January 1, 2007, the following number of sewage discharges have been reported to Environmental Health: January – 21 reports, 1 beach closure; February – 44 reports, 3 beach closures; March – 61 reports, 0 beach closures; April (1st -30th) – 88 reports, 0 beach closures.

A web-based sewage discharge tracking database, which allows Environmental Health staff to seamlessly post updated information on the Environmental Health website, is scheduled to “go live” by June 1, 2007. This website will allow a user to query sewage spills based on certain parameters.

A web-based sewage discharge tracking database, which allows Environmental Health staff to seamlessly post updated information on the Environmental Health website was activated on May 1, 2007. This website allows users to query sewage discharges from April 12, 2007 by city, zip code, month, year, and gallons. Historical data prior to April 12, 2007 is archived and viewable. A system by which a tracking number will be automatically assigned to each discharge report will be added to the database by June 1, 2007.

13. **The Board of Supervisors instruct the Department of Beach and Harbors and the Fire Department to submit a reimbursement claim to the Los Angeles County Sanitation Districts for costs incurred in responding to the January 2006 Manhattan Beach sewage spill.**

The Fire Department advised that a claim was submitted to the Los Angeles County Sanitation District the week of February 19, 2007. The Department of Beaches and Harbors advised that a claim was filed on March 5, 2007.

14. **The Board of Supervisors consider requesting the Governor to appoint someone with an expertise in public health to fill the vacant membership position on the Los Angeles Regional Water Board.**
15. **The Board of Supervisors consider seeking an amendment to the Water Code to require that at least one of the Water Board's seven membership categories include someone with a public health background.**

To implement Section 3 of the motion approved by the Board on January 30, 2007, on April 4, 2007, the Executive Officer sent a letter, signed by the Board, with the Auditor-Controller's Report, to Governor Schwarzenegger and the Los Angeles County Legislative Delegation, requesting amendments to State law to:

- a. Require that the local health officer be immediately notified in the event of a sewage spill,
- b. Permit civil fines to be imposed on persons who do not immediately make that notification, and
- c. Require at least one Water Board member to have a public health background.

The Board further requested an investigation into whether the problems Los Angeles County experienced in reporting and documenting potentially harmful sewage spills as required by law are also occurring elsewhere in the State.

These letters were temporarily delayed due to the revision of the Auditor-Controller's report relating to sewage spill data, which was included with the letter.

AB 800 by Assembly Members Lieu, Brownley, and Krekorian, is the County-sponsored bill which is seeking to implement these recommendations. The Chief Administrative Office and the County's legislative advocates are working closely with the legislators on these issues. A motion by Supervisors Knabe and Yaroslavsky on the May 15, 2007 agenda, addresses the issue of pursuing public health expertise on the Water Board separately from AB 800.

16. **The Board of Supervisors instruct the Department of Public Health, in conjunction with the Public Health Commission, the Auditor-Controller, and County Counsel to determine whether new State laws are needed to ensure the protection of public health when sewage spills discharge into dry riverbeds that are near residential communities.**

On April 3, 2007, the Board approved this additional recommendation with the addition of any other locations. Public Health staff have discussed this preliminarily with the Public Health Commission to understand the scope of locations to include, and will convene a meeting to discuss this issue and make recommendations by May 31, 2007.

Action Plan
Auditor-Controller's Recommendations

No.	RECOMMENDATION	LEAD	ACTION	ISSUES/COMMENTS	TARGET DATES	STATUS
4	The Board of Supervisors instruct the Department of Public Health, in collaboration with interested environmental groups and sewer system owners/operators, the Department of Beaches and Harbors, Fire Department/Lifeguard Division, and Los Angeles Regional Water Quality Control Board, to define the mandatory timeframe for reporting a sewage spill to the County's Public Health Officer.	DPH	<p>Environmental Health staff met with Rita Robinson and key staff from the LA City Bureau of Sanitation to discuss spill reporting procedures and implementation concerns.</p> <p>Public Health staff met with all stakeholders to review the Board's motion and action, review the Auditor-Controller's report, review current legislation regarding sewage spill reporting, review actions taken to date in response to the Board's motion and Auditor-Controller's report, and to discuss preparation of a draft response plan to address the Board's motion and Auditor-Controller's recommendations.</p> <p>A letter was mailed to the cities of Pasadena, Vernon, and Long Beach requesting that sewage discharges which take place in their respective jurisdiction and have the potential to enter Los Angeles County jurisdiction be reported to the Los Angeles County Health Officer.</p>	<p>EH shared reporting procedures and exchanged contact information of key personnel to insure effective communication and actionable information during sewage spill reporting</p> <p>At this meeting, three subcommittees were formed for the purpose of 1) determining spill reporting timeline requirements, 2) developing a contractor notification/reporting policy and 3) developing a regional reporting call center.</p>	<p>Sub-committees scheduled to meet within 30 days. 3-23-07</p>	<p>Completed Meeting held on 2-14-07</p> <p>Completed Meeting held on 2-23-07</p> <p>Completed Letter mailed on 2-16-07.</p>

No.	RECOMMENDATION	LEAD	ACTION	ISSUES/COMMENTS	TARGET DATES	STATUS
			<p>Environmental Health staff met Margo Noll from Internal Services Department to discuss and evaluate the existing emergency call system and to clarify Environmental Health's emergency call list and procedures.</p> <p>Environmental Health staff met with members of all three sub-committees. Environmental Health has prepared reports to memorialize the discussion and findings derived from these meetings. These reports were distributed to all sub-committee members for review and comments.</p>	<p>Further research analysis is required regarding the Service Center Program and time stamping capabilities.</p> <p>Environmental Health will continue to work with members of the sub-committees, and will provide the sub-committee's responses in the next monthly report.</p>	<p>Meeting scheduled for 3-13-07</p>	<p>Completed Meeting held on 3-13-07. A follow-up meeting is to be scheduled ASAP.</p> <p>Meetings were held on March 20-21, 2007.</p>

No.	RECOMMENDATION	LEAD	ACTION	ISSUES/COMMENTS	TARGET DATES	STATUS
			Public Health staff are scheduled to meet with the Long Beach Health Officer to discuss the regional call center.	On March 29, 2007, Dr. Fielding and key department staff met with Ronald Arias (City of Long Beach Health and Human Services Director), Darryl Sexton (City of Long Beach Health Officer), Jeff Benedict (City of Long Beach Environmental Health Director), and other Long Beach staff to discuss inter-jurisdictional sewage spill notification, a proposal for a regional call center, and pending legislation regarding sewage spills. The departments also exchanged information on issues affecting water quality and uniform standards for grading Los Angeles County beaches, including Long Beach. We committed to work together cooperatively on all elements of sewage spill reporting and disclosure.	Meeting is scheduled for 3-29-07	Completed Meeting held on 3-29-07

No.	RECOMMENDATION	LEAD	ACTION	ISSUES/COMMENTS	TARGET DATES	STATUS
			Environmental Health staff is scheduled to meet with ISD information technology staff on April 4, 2007, to discuss the technical/software expansion capabilities of the current audio-data emergency call system.	This is a follow-up meeting to secure technical information regarding ISD call center expansion capability as well as information in which to draft scope-of-work specifications for RFP contractor operated regional call center.	Meeting is scheduled for 4-4-07	Meeting held on 4-4-07.
6	The Board of Supervisors instruct the Department of Public Health, in consultation with the Public Health Commission, to develop an educational program for owners/operators of sanitary sewer systems, which shall include, but not limited to, clarification on how soon the public health officer must be contacted after a spill and the names and telephone numbers of all County representatives that should be notified following a sewage spill.		After the three subcommittees make their recommendations, the Department of Public Health, in consultation with the Public Health Commission, will develop educational materials and distribute it to all owner/operators of sanitary sewer systems in the County. The Department will also develop and distribute information explaining how the general public can file a sewage discharge report.		Educational materials and distribution plan to be developed by May 31.	

Action Plan for Auditor-Controller's Recommendations

No.	RECOMMENDATION	LEAD	ACTION	ISSUES/COMMENTS	TARGET DATES	STATUS
9	Board of Supervisors instruct the Department of Public Health to provide the County operator with an emergency contact list that contains the names and telephone numbers of at least three employees who will be on-call to receive reports of sewage spills after normal business hours and to ensure that the contact list is always accurate and up-to-date.		<p>The County Operator has been provided in writing with the names and home, cellular and pager number for staff responding to weekend and after hours sewage discharge reports. If a sewage discharge report is received after hours during the work week, the County Operator is instructed to contact everyone on the list provided by Environmental Health until a "live" person is reached. If a sewage discharge report is received on the weekend, Environmental Health has assigned two staff members to be on-call and reachable, via home/cellular phone and pager, to respond as appropriate.</p> <p>The County Operator was provided with a list of seven employees, each with three modes of communication, who can be called to receive after-hour reports.</p> <p>The County operator was provided with a monthly calendar of the employees who will be on-call to receive reports of sewage spills during weekend hours (Friday at 5:30 pm to Monday at 7:00 am).</p>			<p>Completed Letter mailed on 2-13-07.</p> <p>Completed Letter mailed 2-14-07.</p> <p>Completed Letter mailed on 3-16-07.</p>

No.	RECOMMENDATION	LEAD	ACTION	ISSUES/COMMENTS	TARGET DATES	STATUS
10	Board of Supervisors instruct the Department of Public Health to instruct the County Operator in writing to report all sewage spills to an employee listed on the emergency contact list and to make repeated telephone calls if necessary until an employee is reached, and to discontinue the practice of leaving messages on voicemail or answering machine systems.		<p>The County Operator has been instructed to report all sewage discharges to Environmental Health regardless of the amount or location of the sewage discharge or the disposition of sewage; report all sewage discharges to Environmental Health received during normal, weekend or after hours; and continue the reporting process until an Environmental Health employee is reached rather than leaving a message.</p> <p>On March 13, 2007, Environmental Health staff met with ISD staff from the Customer Assistance Division (which includes the emergency operator unit), to discuss the automated notification system and clarify Environmental Health's emergency call list and procedures.</p> <p>On March 16, 2007, the County Operator was given documents that revised the list of emergency call responders along with instructions clarifying Environmental Health's emergency protocol.</p>	Prior to receiving the February 13 th memo, the County Operator only reported discharges to Environmental Health on the same day that the Operator received initial notification of the spill if the discharges were 1,000 gallons or more. When receiving reports of discharges of less than 1,000 gallons, the County Operator would notify Environmental Health the next business day.		<p>Letter mailed on 2-13-07.</p> <p>Completed Meeting was held on 3-13-07</p> <p>Completed Letter mailed on 3-16-07.</p>

No.	RECOMMENDATION	LEAD	ACTION	ISSUES/COMMENTS	TARGET DATES	STATUS
11	The Board of Supervisors instruct the Department of Public Health to develop policies and procedures to centralize the reporting and tracking of all sewage spills within the Department's Recreational Health Program.		<p>All staff members of the Recreational Health Program were trained on protocols for receiving sewage discharge reports from the County Operator and responsible agencies.</p> <p>Environmental Health reorganized the Recreational Health Program to form the Pool Inspection Program and the Water Quality Program.</p> <p>Newly assigned Environmental Health staff to the Water Quality Program are currently being trained on procedures for collecting ocean water samples and emergency response in order to increase response capacity.</p> <p>Environmental Health staff assigned to the Water Quality Program were trained on protocols for receiving sewage discharge reports from the County Operator and/or responsible agencies.</p>	<p>This action will provide specific focus and responsibility to staff assigned to the Water Quality program in the areas of fresh and ocean water quality monitoring, including implementing actions when water quality standards are not met, such as related to sewage spills and discharges.</p>		<p>Completed Training provided on 2-1-07.</p> <p>Completed on 3-12-07.</p> <p>Initial training on 3-12-07 and ongoing for remaining staff.</p> <p>Completed Training provided on 3-15-07</p>

No.	RECOMMENDATION	LEAD	ACTION	ISSUES/COMMENTS	TARGET DATES	STATUS
12	The Board of Supervisors instruct the Department of Public Health to require Recreational Health Program to immediately begin documenting and tracking all reports of sewage spills, and providing reference/tracking numbers to persons reporting sewage spills.		<p>Environmental Health established a database of sewage spill reports (from 2002 to present) that includes such information such as the date of report, location, start and end time, reporting party, cause and actions taken. The information is color coded to indicate significant reporting delay, reported to Public Health (Environmental Health), amount of spill, amount contained, whether the spill reached the ocean, and if discharge into ocean was insignificant or required beach closure.</p> <p>Environmental Health staff met with staff from Public Health Web Infomatics to establish a web-based sewage tracking database.</p>	<p>This information is currently being posted on the web as a PDF file and Environmental Health staff is updating it on a weekly basis.</p> <p>This database will allow EH to seamlessly post updated information on the Environmental Health website. The website will eventually allow a user to query sewage spills based on certain parameters.</p>		<p>Updated and posted weekly (Fridays)</p> <p>Completed Meeting held on 3-1-07.</p>

No.	RECOMMENDATION	LEAD	ACTION	ISSUES/COMMENTS	TARGET DATES	STATUS
			Environmental Health staff has begun testing of the new web-based database.	Initial testing has revealed several deficiencies that require resolution before implementation. As a result, a revised version was provided to Environmental Health on March 28, 2007 for additional testing.	If the database meets Environmental Health's needs, posting of the database on the Environmental Health website is expected to be completed by June 1, 2007.	Initiated on 3-16-07
13	The Board of Supervisors instruct the Department of Beach and Harbors and the Fire Department to submit a reimbursement claim to the Los Angeles County Sanitation Districts for costs incurred in responding to the January 2006 Manhattan Beach sewage spill.	Dept. of Fire and Beach and Harbors	<p>The Fire Department advised that a claim was submitted to the Los Angeles County Sanitation District.</p> <p>The Department of Beaches and Harbors has advised that a claim was submitted to the Los Angeles County Sanitation District.</p>			<p>Completed during the week of 2-29-07.</p> <p>Completed on March 5, 2007.</p>



COUNTY OF LOS ANGELES

Public Health

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June 15, 2007

TO: Each Supervisor

FROM: Jonathan Fielding, M.D., M.P.H. *Jonathan Fielding*
Director and Health Officer

SUBJECT: **PROTOCOLS FOR NOTIFICATION OF SEWAGE SPILLS**

On January 30, 2007, the Board approved Supervisor Knabe's motion, as amended by Supervisor Yaroslavsky, concerning the Auditor-Controller's report on failed protocols which delayed notification of the Health Officer of sewer spills. Sections 1 and 2 of the motion contained the following instructions:

1. Direct the Director of Public Health, in close consultation with the Public Health Commission, Auditor-Controller, Chief Administrative Officer and County Counsel to:
 - a. Lead a project to pursue all 15 Auditor-Controller recommendations to conclusion,
 - b. Assume personal accountability for the results,
 - c. Designate a senior manager to serve as day-to-day project manager and advise the Board of his/her selection within one week,
 - d. Work closely and consultatively with affected County Departments and Districts, the Los Angeles Regional Water Quality Control Board, Heal the Bay, Santa Monica Baykeepers, the City of Los Angeles and all other affected constituencies,
 - e. Submit in no more than 60 days and present to the Board as a set item on April 3, 2007, the approach proposed to implement each recommendation along with an action plan and time table to accomplish the specified results,
 - f. Include as part of the project plan the additional task of critiquing the County's public health disaster response plans based on the improvements planned as a result of the Auditor-Controller's report, and
 - g. Provide monthly project status reports to the Board pending the Auditor-Controller's one year follow-up report, and
2. Instruct the County Fire Chief, the Directors of Public Works and Beaches and Harbors, and request the County Sanitation Districts, the Los Angeles Regional Water Quality Control Board, Heal the Bay, Santa Monica Baykeepers, the City of Los Angeles and all other affected constituencies to work with the Director of Public Health and his staff in this effort.

Each Supervisor
June 15, 2007
Page 2

On April 3, 2007, the Board approved a motion by Supervisor Knabe, that the Board, consistent with the Auditor-Controller's recommendation, instruct the Director of Public Health, in conjunction with the Public Health Commission, the Auditor-Controller, County Counsel and affected agencies and constituencies, to determine whether State laws should be amended to further ensure the protection of the public's health when raw sewage is discharged into dry riverbeds and other locations. Action and status reporting on this matter should be integrated with that of the other sewage spill-related recommendations previously approved by the Board.

On February 6, 2007, I sent you with a report in which I named the day-to-day project manager and provided you with an update on actions taken as of that date. On March 5, 2007, I provided you with the first monthly status report. On March 30, 2007, I provided the sixty-day report for the Board agenda of April 3, 2007. On May 11, 2007, I provided a monthly status report.

This is the fourth monthly status report. Attached are the 16 recommendations of the Auditor-Controller with the current status of each recommendation. Also attached is an action plan and time table to accomplish the specified results for the non-legislative recommendations. The CAO will include updates on the legislative changes as part of its regular legislative status reports to the Board.

I will provide you with the next monthly report by July 16, 2007. In the meantime, if you have any questions or need additional information, please let me know.

JEF:tp
PH:701:010(6)

Attachment

c: Chief Administrative Officer
County Counsel
Executive Officer, Board of Supervisors
Auditor-Controller
Director of Internal Services
Public Health Commission

**AUDITOR CONTROLLER'S RECOMMENDATIONS
REGARDING SEWER SPILL NOTIFICATION
STATUS REPORT – June 15, 2007**

1. **The Board of Supervisors consider requesting the Los Angeles Regional Water Quality Control Board to amend the Los Angeles County NPDES permit and WDR to require sewer system owners/operators to:**
 - a. **At a minimum, operate and maintain their sewer system equipment at the level specified by the equipment's manufacturer with additional maintenance performed as necessary to prevent sewage spills from occurring.**
 - b. **Perform regular tests of their pumping station alarm systems, backup pumps, and electrical generators to ensure they will function as intended during an emergency.**
 - c. **Maintain documentation to support all maintenance and testing of their sewer systems.**
2. **The Board of Supervisors consider requesting the Los Angeles Regional Water Quality Control Board to amend the Los Angeles County NPDES permit and WDR to require sewer system owners/operators to convene a work group of key stakeholders to develop specific maintenance standards for owners/operators of sanitary sewer systems in Los Angeles County.**
3. **The Board of Supervisors consider requesting the Los Angeles Regional Water Quality Control Board to amend the Los Angeles County NPDES permit and WDR to require sewer system owners/operators to seek appropriate authority and funding to create and operate an ongoing independent sanitary sewer collection system monitoring program. The program would monitor sanitary sewer owners/operators for compliance with established maintenance standards and would include a written report on the monitoring results.**

To implement Section 4 of the motion approved by the Board on January 30, 2007, the Executive Officer sent a letter to the Los Angeles Water Quality Control Board on April 4, 2007, requesting that they:

- a. **Amend the Los Angeles County National Pollutant Discharge Elimination System Permit and Waste Discharge Requirements to require sewer system owners/operators to implement the Auditor-Controller's recommendations;**
- b. **Convene a work group of key stakeholders to develop specific maintenance standards for owners/operators of sanitary sewer systems in the County; and**
- c. **Seek appropriate authority and funding to create and operate an ongoing independent sanitary sewer collection system monitoring program which would monitor sanitary sewer owners/operators for compliance with established maintenance standards and would include a written report on the monitoring results.**

This letter was temporarily delayed due to the revision of the Auditor-Controller's report relating to sewage spill data, which was included with the letter.

4. **The Board of Supervisors instruct the Department of Public Health, in collaboration with interested environmental groups and sewer system owners/operators, the Department of Beaches and Harbors, Fire Department/Lifeguard Division, and Los Angeles Regional Water Quality Control Board, to define the mandatory timeframe for reporting a sewage spill to the County's Public Health Officer.**

On February 14, 2007, Environmental Health staff met with Rita Robinson, Director of the City of Los Angeles Bureau of Sanitation and key staff to discuss spill reporting procedures and implementation concerns (see attached sign-in sheet).

On February 23, 2007, Public Health staff met with representatives of the following stakeholders: City of Los Angeles Sanitation Bureau, Los Angeles County Sanitation Districts, Regional Water Control Board, City of Long Beach Environmental Health, City of Pasadena Public Health Department, Heal the Bay, Santa Monica Baykeeper, County departments of Auditor-Controller, Beaches and Harbors, County Counsel, Internal Services, Public Works, and representatives of Assemblypersons Julie Brownley and Ted Lieu, and the Third Supervisorial District.

The purpose of the meeting was to review the Board of Supervisor's January 30, 2007 motion and action; review the Auditor-Controller's report on failed protocols which delayed notification of the Health Officer of sewer spills; review current legislation regarding sewage spill reporting; review actions taken to date in response to the Board's motion and Auditor-Controller's report; and to discuss the preparation of a draft response plan to address the Board's motion and Auditor-Controller's recommendations.

At this meeting, three sub-committees were formed for the purpose of determining spill reporting timeline requirements; developing a contractor notification/reporting policy; and developing a regional reporting call center.

A letter was mailed to the cities of Pasadena, Vernon, and Long Beach (cities with local health departments) requesting that sewage discharges which take place in their respective jurisdiction and have the potential to enter Los Angeles County Jurisdiction be reported to the Los Angeles County Health Officer.

On March 13, 2007, Environmental Health staff met with staff from the Internal Services Department (ISD) to discuss and evaluate the existing emergency call system and to clarify Environmental Health's emergency call list and procedures. A revised call list along with instructions was sent to ISD on March 16, 2007.

Meetings with all three sub-committees were held on March 20-21, 2007. Environmental Health has prepared minutes of these meetings which were distributed to all sub-committee members for review and comments. Environmental Health will continue to work with members of the sub-committees, and provide the sub-committees' responses in the next monthly report.

On March 29, 2007, Dr. Fielding and key department staff met with Ronald Arias (City of Long Beach Health and Human Services Director), Darryl Sexton (City of Long Beach Health Officer), Jeff Benedict (City of Long Beach Environmental Health Director), and other Long Beach staff to discuss inter jurisdictional sewage spill notification, a proposal for a regional call center, and pending legislation regarding sewage spills. The departments also exchanged information on issues affecting water quality and uniform standards for grading Los Angeles County beaches, including Long Beach. We committed to work together cooperatively on all elements of sewage spill reporting and disclosure.

Environmental Health staff met with ISD information technology staff on April 4, 2007, to discuss the technical/software expansion capabilities of the current audio-data emergency call system.

On May 24, 2007, Environmental Health met with staff from ISD's Information Technology Service (ITS) and Customer Assistance Division (CAD). The purpose of the meeting was to discuss the need for a reporting system which is completely auditable, (i.e., all calls/conversations are time stamped and recorded). The reporting system will be required to track and record initial reports (i.e., receipt of report to Environmental Health) and any subsequent actions taken by Environmental Health (i.e., referral to other Environmental Health programs or other responsible agencies).

At this meeting, ISD outlined a proposal to improve tracking of sewage spill reports using a three-phase approach.

- Phase I features the ability of ISD's current incident tracking system (HP ServiceCenter) to record all sewage related calls/conversations (voice clips) and attach them to a sewage spill report (e.g., 6-digit ticket number). ISD is currently developing a ServiceCenter data entry form that will allow the County Operator to populate spill information at the time the call is received. Environmental Health will have access to the ServiceCenter ticket application in order to make journal entries and modify/update information contained in the initial sewage spill report.

Using a proposed Voice Print application, the County Operator would manually "tag" all voice clips to the sewage spill ticket number. The sewage spill ticket number will be established by the County Operator at the time the call is received.

The existing emergency phone number (213.974.1234) will allow reporting agencies and members of the general public to report sewage spill incidents or other types of emergencies (e.g. restaurant fires, carbon monoxide incidences, lack of hot/running water in residential units, etc.).

Additionally, a dedicated telephone number will be put in place strictly for Environmental Health staff to update and record spill information. This will bypass the public number (213.974.1234) and will be accessible to Environmental Health staff via numerical password.

In order to ensure that all voice clips remain assigned to a specific sewage spill ticket number, the County Operator will be required to stay on the line during all subsequent follow-up conversations held by Environmental Health. The call center will utilize ServiceCenter application, which is available 24 hours/ 7 days a week, in replacement of the Startel system currently used by ISD to receive sewage spills during weekend and after hours. ISD has informed us that they expect to be able to deploy Phase I solutions at the start of fiscal year 2007-2008.

Phase II, which ISD states they will be able to deploy at the start of November of 2007, will provide software modification and programming that will allow the County Operator to electronically "tag" voice clips to a particular sewage spill ticket with a single click of a button. In addition, ISD will create an interface between the ServiceCenter system and Environmental Health's web-based database so that a "sub-set" of the ServiceCenter ticket number will be "pushed" out to create the initial record on Environmental Health's system. Any updates made to the ServiceCenter ticket, if appropriate, will be sent out to update the incident on Environmental Health's system. This application will not affect the ability of the public to access Environmental Health's web-based data-base to view and query sewage spill reports.

- In Phase III, ISD will replace the existing application with a more advanced communications technology. The new technology will enable the system to automatically “tag” the voice recording/clip to the sewage spill ticket. ISD states that this system, which will be based on VoIP and Cisco’s IPCC (IP Call Center) technology, is not expected to be in production until the end of the 2007-2008 fiscal year.

ISD is developing a cost estimate to account for all three phases and a department service order (DSO) as needed.

5. **To make the timeframe determined above an enforceable requirement in Los Angeles County, the Board of Supervisors consider requesting the Los Angeles Regional Water Quality Control Board to amend the Wastewater Discharge Requirements to include a requirement that specifies when the County's Public Health Officer should be notified of a sewage spill.**

To implement Section 4 of the motion approved by the Board on January 30, 2007, the Executive Officer sent a letter to the Los Angeles Water Quality Control Board on April 4, 2007, requesting that they:

- d. Amend the Los Angeles County National Pollutant Discharge Elimination System Permit and Waste Discharge Requirements to require sewer system owners/operators to implement the Auditor-Controller's recommendations;
- e. Convene a work group of key stakeholders to develop specific maintenance standards for owners/operators of sanitary sewer systems in the County; and
- f. Seek appropriate authority and funding to create and operate an ongoing independent sanitary sewer collection system monitoring program which would monitor sanitary sewer owners/operators for compliance with established maintenance standards and would include a written report on the monitoring results.

This letter was temporarily delayed due to the revision of the Auditor-Controller’s report relating to sewage spill data, which was included with the letter.

6. **The Board of Supervisors instruct the Department of Public Health, in consultation with the Public Health Commission, to develop an educational program for owners/operators of sanitary sewer systems, which shall include, but not limited to, clarification on how soon the public health officer must be contacted after a spill and the names and telephone numbers of all County representatives that should be notified following a sewage spill.**

Environmental Health staff is currently receiving/reviewing comments provided by members of all three subcommittees. After the subcommittees submit their comments, the Department of Public Health, in consultation with the City of Los Angeles Bureau of Sanitation, Los Angeles County Sanitation Districts, and the Los Angeles County Department of Public Works, will develop a survey letter and mail it to the all contract cities and various sewer agencies. The purpose of the letter and survey is to 1) remind cities regarding their obligations under the California Health and Safety Code to report sewage spills in their jurisdiction to this Department, 2) advise all affected parties of the single 24 hour reporting telephone number (currently County Emergency Operator) 3) provide information as available on the proposed new regional call center, and 4) solicit comments as to what current policies/practices exist regarding sewage spill reporting procedures/requirements for sewer contractors, wastewater treatment plant operators and collection system personnel.

The results of this survey will assist staff in developing an educational program for owners/operators of sanitary sewer systems, as well as the development and distribution of information explaining how the general public can file a sewage discharge report.

The period for subcommittee comments has elapsed and Environmental Health staff is incorporating comments and recommendations into the survey letter that will be mailed to all contract cities and various sewer agencies by June 22, 2007. Upon review of survey responses, Environmental Health will contact the Public Health Commission to present an outline of the proposed education program for review and comment.

7. **The Board of Supervisors consider seeking an amendment to the Water Code to include a requirement that the local public health officer be immediately notified in the event of a sewage spill.**
8. **The Board of Supervisors consider seeking a change in State law to permit civil fines to be imposed on persons who do not immediately notify the local public health officer when a sewage spill occurs.**

AB 800 by Assembly Members Lieu, Brownley, and Krekorian, is the County-sponsored bill which is seeking to implement these recommendations. The Chief Administrative Office and the County's legislative advocates are working closely with the legislators on these issues. The CAO will keep the Board informed of developments through its regular Sacramento updates.

9. **Board of Supervisors instruct the Department of Public Health to provide the County operator with an emergency contact list that contains the names and telephone numbers of at least three employees who will be on-call to receive reports of sewage spills after normal business hours and to ensure that the contact list is always accurate and up-to-date.**
10. **Board of Supervisors instruct the Department of Public Health to instruct the County Operator in writing to report all sewage spills to an employee listed on the emergency contact list and to make repeated telephone calls if necessary until an employee is reached, and to discontinue the practice of leaving messages on voicemail or answering machine systems.**

On February 13, 2007, the County Operator was given a written memo, with the names and home, cellular and pager numbers for staff responding to weekend and after hours sewage discharge reports. The County Operator is instructed to contact everyone on the list provided by Environmental Health until a "live" person is reached. A total of seven names have been provided to ensure a timely and appropriate response. If a sewage discharge report is received on the weekend, Environmental Health has assigned two staff members of the seven to be on-call and reachable on a rotating basis, via home/cellular phone and pager, to respond as appropriate.

The County Operator was instructed to

- Report all sewage discharges to Environmental Health regardless of the amount or location of the sewage discharge or the disposition of sewage.
- Report all sewage discharges to Environmental Health received during normal, weekend, or after hours.
- Continue the reporting process until an Environmental Health employee is reached rather than leave a message.

Prior to receiving the February 13th memo, the County Operator only reported discharges to Environmental Health on the same day that the Operator received initial notification of the spill if the discharges were 1,000 gallons or more. When receiving reports of discharges of less than 1,000 gallons, the County Operator would notify Environmental Health the next business day.

On March 13, 2007, Environmental Health staff met with ISD staff from the Customer Assistance Division (which includes the emergency operator unit), to discuss the automated notification system and clarify Environmental Health's emergency call list and procedures.

On March 16, 2007, the County Operator was given documents that revised the list of emergency call responders along with instructions clarifying Environmental Health's emergency protocol.

11. The Board of Supervisors instruct the Department of Public Health to develop policies and procedures to centralize the reporting and tracking of all sewage spills within the Department's Recreational Health Program.

On February 1, 2007, all staff members of the Recreational Health Program were trained on protocols for receiving sewage discharge reports from responsible agencies or the County Operator.

Environmental Health has developed a Sewage Discharge Incident Report Form that will be utilized by all Environmental Health units that respond to sewage discharge incidents from sources other than those agencies required to report discharges. For example, housing or food inspectors may learn of a sewage discharge from a multi-family housing complex or a restaurant where the sewage is going from private property onto the street. In this manner, sewage discharges from any source that may potentially impact waters, if known to any unit of Environmental Health, will be reported to the Water Quality Program. On March 16 2007, a directive was issued to Environmental Health staff that implements these reporting procedures. These reporting procedures were reinforced during meetings with unit supervisors on March 29.

On March 15, 2007, Environmental Health staff assigned to the Water Quality Program were trained on protocols for receiving sewage discharge reports from the County Operator and/or responsible agencies.

Newly assigned Environmental Health staff to the Water Quality Program are currently being trained on procedures for collecting ocean water samples and emergency response in order to increase response capacity.

On May 3, 2007, staff from the Water Quality Program met with Chiefs from the Housing Inspection Bureau. Water Quality staff clarified the sewage discharge reporting requirements expected of Housing Inspection Bureau staff responding to sewage discharges that may occur in the community. An updated sewage discharge reporting form was distributed.

12. The Board of Supervisors instruct the Department of Public Health to require Recreational Health Program to immediately begin documenting and tracking all reports of sewage spills, and providing reference/tracking numbers to persons reporting sewage spills.

As reported to you in our February 6, 2007 memorandum, Environmental Health established a database of sewage spill reports (from 2002 to the present) that includes such information as the date of report, location, start and end time, reporting party, cause and actions taken. The information is color coded to indicate significant reporting delay, reported to Public Health (Environmental Health), amount of spill, amount contained, whether the spill reached the ocean, and if discharge into ocean was insignificant or required beach closure. This information is currently being posted on the web as a PDF file and Environmental Health staff is updating it on a weekly basis.

The following table identifies the number of sewage discharges and beach closures that were reported to Environmental Health since January 1, 2007:

Reporting month	Number of Sewage Discharge Reports	Number of Beach Closures
January	21	1
February	44	3
March	61	0
April	88	0
May	69	1

A web-based sewage discharge tracking database, which allows Environmental Health staff to seamlessly post updated information on the Environmental Health website was activated on May 1, 2007. This website allows users to query sewage discharges from April 12, 2007 by city, zip code, month, year, and gallons. Historical data prior to April 12, 2007 is archived and viewable. On May 1, 2007, Environmental Health incorporated into their database a system by which a tracking number will be automatically assigned to each discharge report..

13. **The Board of Supervisors instruct the Department of Beach and Harbors and the Fire Department to submit a reimbursement claim to the Los Angeles County Sanitation Districts for costs incurred in responding to the January 2006 Manhattan Beach sewage spill.**

The Fire Department advised that a claim was submitted to the Los Angeles County Sanitation District the week of February 19, 2007. The Department of Beaches and Harbors advised that a claim was filed on March 5, 2007.

14. **The Board of Supervisors consider requesting the Governor to appoint someone with an expertise in public health to fill the vacant membership position on the Los Angeles Regional Water Board.**
15. **The Board of Supervisors consider seeking an amendment to the Water Code to require that at least one of the Water Board's seven membership categories include someone with a public health background.**

To implement Section 3 of the motion approved by the Board on January 30, 2007, on April 4, 2007, the Executive Officer sent a letter, signed by the Board, with the Auditor-Controller's Report, to Governor Schwarzenegger and the Los Angeles County Legislative Delegation, requesting amendments to State law to:

- a. Require that the local health officer be immediately notified in the event of a sewage spill,
- b. Permit civil fines to be imposed on persons who do not immediately make that notification, and
- c. Require at least one Water Board member to have a public health background.

The Board further requested an investigation into whether the problems Los Angeles County experienced in reporting and documenting potentially harmful sewage spills as required by law are also occurring elsewhere in the State.

These letters were temporarily delayed due to the revision of the Auditor-Controller's report relating to sewage spill data, which was included with the letter.

AB 800 by Assembly Members Lieu, Brownley, and Krekorian, is the County-sponsored bill which is seeking to implement these recommendations. The Chief Administrative Office and the County's legislative advocates are working closely with the legislators on these issues. A motion by Supervisors Knabe and Yaroslavsky which was adopted by the Board on May 15, 2007, instructed the County's legislative advocate to continue to pursue the addition of a member with public health expertise on the Water Board separately from the County's efforts as the sponsor of AB 800.

16. **The Board of Supervisors instruct the Department of Public Health, in conjunction with the Public Health Commission, the Auditor-Controller, and County Counsel to determine whether new State laws are needed to ensure the protection of public health when sewage spills discharge into dry riverbeds that are near residential communities.**

On April 3, 2007, the Board approved this additional recommendation with the addition of any other locations. Public Health staff have discussed this preliminarily with the Public Health Commission to understand the scope of locations to include, and with County Counsel. A follow-up meeting is being scheduled.

Action Plan
Auditor-Controller's Recommendations

No.	RECOMMENDATION	LEAD	ACTION	ISSUES/COMMENTS	TARGET DATES	STATUS
4	The Board of Supervisors instruct the Department of Public Health, in collaboration with interested environmental groups and sewer system owners/operators, the Department of Beaches and Harbors, Fire Department/Lifeguard Division, and Los Angeles Regional Water Quality Control Board, to define the mandatory timeframe for reporting a sewage spill to the County's Public Health Officer.	DPH	<p>Environmental Health staff met with Rita Robinson and key staff from the LA City Bureau of Sanitation to discuss spill reporting procedures and implementation concerns.</p> <p>Public Health staff met with all stakeholders to review the Board's motion and action, review the Auditor-Controller's report, review current legislation regarding sewage spill reporting, review actions taken to date in response to the Board's motion and Auditor-Controller's report, and to discuss preparation of a draft response plan to address the Board's motion and Auditor-Controller's recommendations.</p> <p>A letter was mailed to the cities of Pasadena, Vernon, and Long Beach requesting that sewage discharges which take place in their respective jurisdiction and have the potential to enter Los Angeles County jurisdiction be reported to the Los Angeles County Health Officer.</p>	<p>EH shared reporting procedures and exchanged contact information of key personnel to insure effective communication and actionable information during sewage spill reporting</p> <p>At this meeting, three subcommittees were formed for the purpose of 1) determining spill reporting timeline requirements, 2) developing a contractor notification/reporting policy and 3) developing a regional reporting call center.</p>	<p></p> <p>Sub-committees scheduled to meet within 30 days. 3-23-07</p>	<p>Completed Meeting held on 2-14-07</p> <p>Completed Meeting held on 2-23-07</p> <p>Completed Letter mailed on 2-16-07.</p>

No.	RECOMMENDATION	LEAD	ACTION	ISSUES/COMMENTS	TARGET DATES	STATUS
			<p>Environmental Health staff met Margo Noll from Internal Services Department to discuss and evaluate the existing emergency call system and to clarify Environmental Health's emergency call list and procedures.</p> <p>Environmental Health staff met with members of all three sub-committees. Environmental Health has prepared reports to memorialize the discussion and findings derived from these meetings. These reports were distributed to all sub-committee members for review and comments.</p>	<p>Further research analysis is required regarding the Service Center Program and time stamping capabilities.</p> <p>Environmental Health will continue to work with members of the sub-committees, and will provide the sub-committee's responses in the next monthly report.</p>	<p>Meeting scheduled for 3-13-07</p>	<p>Completed Meeting held on 3-13-07. A follow-up meeting is to be scheduled ASAP.</p> <p>Meetings were held on March 20-21, 2007.</p>

No.	RECOMMENDATION	LEAD	ACTION	ISSUES/COMMENTS	TARGET DATES	STATUS
			Public Health staff are scheduled to meet with the Long Beach Health Officer to discuss the regional call center.	On March 29, 2007, Dr. Fielding and key department staff met with Ronald Arias (City of Long Beach Health and Human Services Director), Darryl Sexton (City of Long Beach Health Officer), Jeff Benedict (City of Long Beach Environmental Health Director), and other Long Beach staff to discuss inter-jurisdictional sewage spill notification, a proposal for a regional call center, and pending legislation regarding sewage spills. The departments also exchanged information on issues affecting water quality and uniform standards for grading Los Angeles County beaches, including Long Beach. We committed to work together cooperatively on all elements of sewage spill reporting and disclosure.	Meeting is scheduled for 3-29-07	Completed Meeting held on 3-29-07

No.	RECOMMENDATION	LEAD	ACTION	ISSUES/COMMENTS	TARGET DATES	STATUS
			<p>Environmental Health staff is scheduled to meet with ISD information technology staff on April 4, 2007, to discuss the technical/software expansion capabilities of the current audio-data emergency call system.</p> <p>Environmental Health staff is scheduled to meet with staff from ISD's Information Technology Service and Customer Assistance Division to discuss a proposal to improve tracking of sewage spill reports using a three-phase approach.</p>	<p>This is a follow-up meeting to secure technical information regarding ISD call center expansion capability as well as information in which to draft scope-of-work specifications for RFP contractor operated regional call center.</p> <p>ISD is developing a cost estimate to account for all three phases a Department Service Order (DSO) as needed.</p>	<p>Meeting is scheduled for 4-4-07.</p> <p>Meeting is scheduled for May 24, 2007.</p>	<p>Meeting held on 4-4-07.</p> <p>Meeting held on 5-24-07.</p>

6	<p>The Board of Supervisors instruct the Department of Public Health, in consultation with the Public Health Commission, to develop an educational program for owners/operators of sanitary sewer systems, which shall include, but not limited to, clarification on how soon the public health officer must be contacted after a spill and the names and telephone numbers of all County representatives that should be notified following a sewage spill.</p>	<p>After the three subcommittees make their recommendations, the Department of Public Health, in consultation with the Public Health Commission, will develop educational materials and distribute it to all owner/operators of sanitary sewer systems in the County. The Department will also develop and distribute information explaining how the general public can file a sewage discharge report.</p> <p>Environmental Health will develop a survey letter and distribute it to all contract cities to determine what current practice/policies exists regarding sewage spill reporting procedures for sewer contractors, wastewater treatment plant operators, and collection system personnel.</p>	<p>Upon review of survey responses, Environmental Health will contact the Public Health Commission to present an outline of the proposed education program for review and comment.</p>	<p>Educational materials and distribution plan to be developed by May 31.</p> <p>The period for subcommittee comments has elapsed and Environmental Health staff is incorporating comments and recommendations into the survey letter that will be mailed to all contract cities and various sewer agencies by June 22, 2007.</p>	
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Action Plan for Auditor-Controller's Recommendations

No.	RECOMMENDATION	LEAD	ACTION	ISSUES/COMMENTS	TARGET DATES	STATUS
9	Board of Supervisors instruct the Department of Public Health to provide the County operator with an emergency contact list that contains the names and telephone numbers of at least three employees who will be on-call to receive reports of sewage spills after normal business hours and to ensure that the contact list is always accurate and up-to-date.		<p>The County Operator has been provided in writing with the names and home, cellular and pager number for staff responding to weekend and after hours sewage discharge reports. If a sewage discharge report is received after hours during the work week, the County Operator is instructed to contact everyone on the list provided by Environmental Health until a "live" person is reached. If a sewage discharge report is received on the weekend, Environmental Health has assigned two staff members to be on-call and reachable, via home/cellular phone and pager, to respond as appropriate.</p> <p>The County Operator was provided with a list of seven employees, each with three modes of communication, who can be called to receive after-hour reports.</p> <p>The County operator was provided with a monthly calendar of the employees who will be on-call to receive reports of sewage spills during weekend hours (Friday at 5:30 pm to Monday at 7:00 am).</p>			<p>Completed Letter mailed on 2-13-07.</p> <p>Completed Letter mailed 2-14-07.</p> <p>Completed Letter mailed on 3-16-07.</p>

No.	RECOMMENDATION	LEAD	ACTION	ISSUES/COMMENTS	TARGET DATES	STATUS
10	Board of Supervisors instruct the Department of Public Health to instruct the County Operator in writing to report all sewage spills to an employee listed on the emergency contact list and to make repeated telephone calls if necessary until an employee is reached, and to discontinue the practice of leaving messages on voicemail or answering machine systems.		<p>The County Operator has been instructed to report all sewage discharges to Environmental Health regardless of the amount or location of the sewage discharge or the disposition of sewage; report all sewage discharges to Environmental Health received during normal, weekend or after hours; and continue the reporting process until an Environmental Health employee is reached rather than leaving a message.</p> <p>On March 13, 2007, Environmental Health staff met with ISD staff from the Customer Assistance Division (which includes the emergency operator unit), to discuss the automated notification system and clarify Environmental Health's emergency call list and procedures.</p> <p>On March 16, 2007, the County Operator was given documents that revised the list of emergency call responders along with instructions clarifying Environmental Health's emergency protocol.</p>	Prior to receiving the February 13 th memo, the County Operator only reported discharges to Environmental Health on the same day that the Operator received initial notification of the spill if the discharges were 1,000 gallons or more. When receiving reports of discharges of less than 1,000 gallons, the County Operator would notify Environmental Health the next business day.		<p>Letter mailed on 2-13-07.</p> <p>Completed Meeting was held on 3-13-07</p> <p>Completed Letter mailed on 3-16-07.</p>

No.	RECOMMENDATION	LEAD	ACTION	ISSUES/COMMENTS	TARGET DATES	STATUS
11	The Board of Supervisors instruct the Department of Public Health to develop policies and procedures to centralize the reporting and tracking of all sewage spills within the Department's Recreational Health Program.		<p>All staff members of the Recreational Health Program were trained on protocols for receiving sewage discharge reports from the County Operator and responsible agencies.</p> <p>Environmental Health reorganized the Recreational Health Program to form the Pool Inspection Program and the Water Quality Program.</p> <p>Newly assigned Environmental Health staff to the Water Quality Program are currently being trained on procedures for collecting ocean water samples and emergency response in order to increase response capacity.</p> <p>Environmental Health staff assigned to the Water Quality Program were trained on protocols for receiving sewage discharge reports from the County Operator and/or responsible agencies.</p>	<p>This action will provide specific focus and responsibility to staff assigned to the Water Quality program in the areas of fresh and ocean water quality monitoring, including implementing actions when water quality standards are not met, such as related to sewage spills and discharges.</p>		<p>Completed Training provided on 2-1-07.</p> <p>Completed on 3-12-07.</p> <p>Initial training on 3-12-07 and ongoing for remaining staff.</p> <p>Completed Training provided on 3-15-07</p>

No.	RECOMMENDATION	LEAD	ACTION	ISSUES/COMMENTS	TARGET DATES	STATUS
			<p>Environmental Health has developed a Sewage Discharge Incident Report Form that will be utilized by all Environmental Health units that respond to sewage discharge incidents from sources other than those agencies required to report discharges. For example, housing and food inspectors may learn of a sewage discharge from a multi-family housing complex or a restaurant where the sewage is going from private property on to the street.</p> <p>A directive was distributed to all Environmental Health Bureau Directors that standardizes the reporting procedures for sewer discharges for all units of Environmental Health. This directive ensures that sewage discharges from any source that may potentially impact waters, if known to any unit of Environmental Health, will be reported to the Water Quality Program.</p> <p>Environmental Health Bureau Directors of the Food and Housing Inspection Programs met with their unit supervisors to present the directive, thereby insuring uniform compliance to the reporting and notification procedures associated with sewage spills.</p>	<p>This action will enhance Environmental Health's response to sewage discharges that may potentially have impact on ocean waters as discharges not addressed through requisite reporting agencies will be accounted for.</p>		<p>Completed on 3-16-07.</p> <p>Completed on 3-16-07</p> <p>Completed Meeting held on 3-29-07.</p>

No.	RECOMMENDATION	LEAD	ACTION	ISSUES/COMMENTS	TARGET DATES	STATUS
12	The Board of Supervisors instruct the Department of Public Health to require Recreational Health Program to immediately begin documenting and tracking all reports of sewage spills, and providing reference/tracking numbers to persons reporting sewage spills.		<p>Environmental Health established a database of sewage spill reports (from 2002 to present) that includes such information such as the date of report, location, start and end time, reporting party, cause and actions taken. The information is color coded to indicate significant reporting delay, reported to Public Health (Environmental Health), amount of spill, amount contained, whether the spill reached the ocean, and if discharge into ocean was insignificant or required beach closure.</p> <p>Environmental Health staff met with staff from Public Health Web Infomatics to establish a web-based sewage tracking database.</p>	<p>This information is currently being posted on the web as a PDF file and Environmental Health staff is updating it on a weekly basis.</p> <p>This database will allow EH to seamlessly post updated information on the Environmental Health website. The website will eventually allow a user to query sewage spills based on certain parameters.</p>		<p>Updated and posted weekly (Fridays)</p> <p>Completed Meeting held on 3-1-07.</p>

No.	RECOMMENDATION	LEAD	ACTION	ISSUES/COMMENTS	TARGET DATES	STATUS
			Environmental Health staff has begun testing of the new web-based database.	Initial testing has revealed several deficiencies that require resolution before implementation. As a result, a revised version was provided to Environmental Health on March 28, 2007 for additional testing.	If the database meets Environmental Health's needs, posting of the database on the Environmental Health website is expected to be completed by June 1, 2007. May 1, 2007	Web-based database activate on 5-1-07.
			Environmental Health will incorporate into their database a system in which a tracking number will be automatically assigned to each discharge report.			Completed 5-1-07

13	The Board of Supervisors instruct the Department of Beach and Harbors and the Fire Department to submit a reimbursement claim to the Los Angeles County Sanitation Districts for costs incurred in responding to the January 2006 Manhattan Beach sewage spill.	Dept. of Fire and Beach and Harbors	<p>The Fire Department advised that a claim was submitted to the Los Angeles County Sanitation District.</p> <p>The Department of Beaches and Harbors has advised that a claim was submitted to the Los Angeles County Sanitation District.</p>			<p>Completed during the week of 2-29-07.</p> <p>Completed on March 5, 2007.</p>
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JONATHAN E. FIELDING, M.D., M.P.H.
Director and Health Officer

JOHN F. SCHUNHOFF, Ph.D.
Chief Deputy Director

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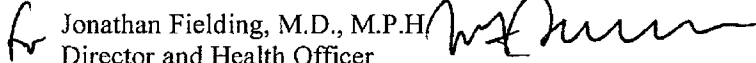
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August 22, 2007

TO: Each Supervisor

FROM: Jonathan Fielding, M.D., M.P.H. 
Director and Health Officer

SUBJECT: **PROTOCOLS FOR NOTIFICATION OF SEWAGE SPILLS**

On January 30, 2007, the Board approved Supervisor Knabe's motion, as amended by Supervisor Yaroslavsky, concerning the Auditor-Controller's report on failed protocols which delayed notification of the Health Officer of sewer spills. Sections 1 and 2 of the motion contained the following instructions:

1. Direct the Director of Public Health, in close consultation with the Public Health Commission, Auditor-Controller, Chief Administrative Officer and County Counsel to:
 - a. Lead a project to pursue all 15 Auditor-Controller recommendations to conclusion,
 - b. Assume personal accountability for the results,
 - c. Designate a senior manager to serve as day-to-day project manager and advise the Board of his/her selection within one week,
 - d. Work closely and consultatively with affected County Departments and Districts, the Los Angeles Regional Water Quality Control Board, Heal the Bay, Santa Monica Baykeepers, the City of Los Angeles and all other affected constituencies,
 - e. Submit in no more than 60 days and present to the Board as a set item on April 3, 2007, the approach proposed to implement each recommendation along with an action plan and time table to accomplish the specified results,
 - f. Include as part of the project plan the additional task of critiquing the County's public health disaster response plans based on the improvements planned as a result of the Auditor-Controller's report, and
 - g. Provide monthly project status reports to the Board pending the Auditor-Controller's one year follow-up report, and
2. Instruct the County Fire Chief, the Directors of Public Works and Beaches and Harbors, and request the County Sanitation Districts, the Los Angeles Regional Water Quality Control Board, Heal the Bay, Santa Monica Baykeepers, the City of Los Angeles and all other affected constituencies to work with the Director of Public Health and his staff in this effort.

On April 3, 2007, the Board approved a motion by Supervisor Knabe, that the Board, consistent with the Auditor-Controller's recommendation, instruct the Director of Public Health, in conjunction with the Public Health Commission, the Auditor-Controller, County Counsel and affected agencies and constituencies, to determine whether State laws should be amended to further ensure the protection of the public's health when raw sewage is discharged into dry riverbeds and other locations. Action and status reporting on this matter should be integrated with that of the other sewage spill-related recommendations previously approved by the Board.

On February 6, 2007, I sent you with a report in which I named the day-to-day project manager and provided you with an update on actions taken as of that date. On March 5, 2007, I provided you with the first monthly status report. On March 30, 2007, I provided the sixty-day report for the Board agenda of April 3, 2007. On May 11 and June 15, 2007, I provided monthly status reports.

This is the fifth monthly status report. Attached are the 16 recommendations of the Auditor-Controller with the current status of each recommendation. Also attached is an action plan and time table to accomplish the specified results for the non-legislative recommendations. The CAO will include updates on the legislative changes as part of its regular legislative status reports to the Board.

On July 10, 2007, Environmental Health staff met with representatives from the Auditor-Controller's Office to discuss the Board motion and the status of the sixteen (16) recommendations of the Auditor-Controller's report. The purpose of the meeting was to provide an overview of the status of each recommendation in preparation of the Auditor-Controller one-year report back to the Board.

Each recommendation was discussed; however, emphasis was placed on those recommendations in which Public Health was accountable for completion. This included recommendations numbers 4, 6, 10, 11, 12 and 16. Environmental Health provided a summary of the actions taken to date and the direction in which the Department was headed. On July 13, 2007, Environmental Health provided the Auditor-Controller with copies of letters, minutes of meetings, recommendations, and monthly reports to the Board, etc., as requested during the meeting of July 10, 2007.

On August 2, 2007, the Auditor-Controller facilitated a meeting between Environmental Health and the Regional Water Quality Control Board in order to discuss common goals for spill reporting.

Both parties agreed that appearance before the Public Health Commission is needed in order to gain input from the Commission regarding the proposed education plan for sewer operators. Staff will be meeting with the Public Health Commission on August 23, 2007.

I will provide you with the next monthly report by September 20, 2007. In the meantime, if you have any questions or need additional information, please let me know.

JEF:tp
PH:701:010(7)

Attachment

c: Chief Executive Officer
County Counsel
Executive Officer, Board of Supervisors
Auditor-Controller
Director of Internal Services
Public Health Commission

**AUDITOR CONTROLLER'S RECOMMENDATIONS
REGARDING SEWER SPILL NOTIFICATION
STATUS REPORT – August 21, 2007**

1. **The Board of Supervisors consider requesting the Los Angeles Regional Water Quality Control Board to amend the Los Angeles County NPDES permit and WDR to require sewer system owners/operators to:**
 - a. **At a minimum, operate and maintain their sewer system equipment at the level specified by the equipment's manufacturer with additional maintenance performed as necessary to prevent sewage spills from occurring.**
 - b. **Perform regular tests of their pumping station alarm systems, backup pumps, and electrical generators to ensure they will function as intended during an emergency.**
 - c. **Maintain documentation to support all maintenance and testing of their sewer systems.**
2. **The Board of Supervisors consider requesting the Los Angeles Regional Water Quality Control Board to amend the Los Angeles County NPDES permit and WDR to require sewer system owners/operators to convene a work group of key stakeholders to develop specific maintenance standards for owners/operators of sanitary sewer systems in Los Angeles County.**
3. **The Board of Supervisors consider requesting the Los Angeles Regional Water Quality Control Board to amend the Los Angeles County NPDES permit and WDR to require sewer system owners/operators to seek appropriate authority and funding to create and operate an ongoing independent sanitary sewer collection system monitoring program. The program would monitor sanitary sewer owners/operators for compliance with established maintenance standards and would include a written report on the monitoring results.**

To implement Section 4 of the motion approved by the Board on January 30, 2007, the Executive Officer sent a letter to the Los Angeles Water Quality Control Board on April 4, 2007, requesting that they:

- a. **Amend the Los Angeles County National Pollutant Discharge Elimination System Permit and Waste Discharge Requirements to require sewer system owners/operators to implement the Auditor-Controller's recommendations;**
- b. **Convene a work group of key stakeholders to develop specific maintenance standards for owners/operators of sanitary sewer systems in the County; and**
- c. **Seek appropriate authority and funding to create and operate an ongoing independent sanitary sewer collection system monitoring program which would monitor sanitary sewer owners/operators for compliance with established maintenance standards and would include a written report on the monitoring results.**

4. **The Board of Supervisors instruct the Department of Public Health, in collaboration with interested environmental groups and sewer system owners/operators, the Department of Beaches and Harbors, Fire Department/Lifeguard Division, and Los Angeles Regional Water Quality Control Board, to define the mandatory timeframe for reporting a sewage spill to the County's Public Health Officer.**

On February 14, 2007, Environmental Health staff met with Rita Robinson, Director of the City of Los Angeles Bureau of Sanitation and key staff to discuss spill reporting procedures and implementation concerns (see attached sign-in sheet).

On February 23, 2007, Public Health staff met with representatives of the following stakeholders: City of Los Angeles Sanitation Bureau, Los Angeles County Sanitation Districts, Regional Water Control Board, City of Long Beach Environmental Health, City of Pasadena Public Health Department, Heal the Bay, Santa Monica Baykeeper, County departments of Auditor-Controller, Beaches and Harbors, County Counsel, Internal Services, Public Works, and representatives of Assemblypersons Julie Brownley and Ted Lieu, and the Third Supervisorial District.

The purpose of the meeting was to review the Board of Supervisor's January 30, 2007 motion and action; review the Auditor-Controller's report on failed protocols which delayed notification of the Health Officer of sewer spills; review current legislation regarding sewage spill reporting; review actions taken to date in response to the Board's motion and Auditor-Controller's report; and to discuss the preparation of a draft response plan to address the Board's motion and Auditor-Controller's recommendations.

At this meeting, three sub-committees were formed for the purpose of determining spill reporting timeline requirements; developing a contractor notification/reporting policy; and developing a regional reporting call center.

A letter was mailed to the cities of Pasadena, Vernon, and Long Beach (cities with local health departments) requesting that sewage discharges which take place in their respective jurisdiction and have the potential to enter Los Angeles County Jurisdiction be reported to the Los Angeles County Health Officer.

On March 13, 2007, Environmental Health staff met with staff from the Internal Services Department (ISD) to discuss and evaluate the existing emergency call system and to clarify Environmental Health's emergency call list and procedures. A revised call list along with instructions was sent to ISD on March 16, 2007.

Meetings with all three sub-committees were held on March 20-21, 2007. Environmental Health has prepared minutes of these meetings which were distributed to all sub-committee members for review and comments. Environmental Health will continue to work with members of the sub-committees, and provide the sub-committees' responses in the next monthly report.

On March 29, 2007, Dr. Fielding and key department staff met with Ronald Arias (City of Long Beach Health and Human Services Director), Darryl Sexton (City of Long Beach Health Officer), Jeff Benedict (City of Long Beach Environmental Health Director), and other Long Beach staff to discuss inter jurisdictional sewage spill notification, a proposal for a regional call center, and pending legislation regarding sewage spills. The departments also exchanged information on issues affecting water quality and uniform standards for grading Los Angeles County beaches, including Long Beach. We committed to work together cooperatively on all elements of sewage spill reporting and disclosure.

Environmental Health staff met with ISD information technology staff on April 4, 2007, to discuss the technical/software expansion capabilities of the current audio-data emergency call system.

On May 24, 2007, Environmental Health met with staff from ISD's Information Technology Service (ITS) and Customer Assistance Division (CAD). The purpose of the meeting was to discuss the need for a reporting system which is completely auditable, (i.e., all calls/conversations are time stamped and recorded). The reporting system will be required to track and record initial reports (i.e., receipt of report to Environmental Health) and any subsequent actions taken by Environmental Health (i.e., referral to other Environmental Health programs or other responsible agencies).

At this meeting, ISD outlined a proposal to improve tracking of sewage spill reports using a three-phase approach.

- Phase I features the ability of ISD's current incident tracking system (HP ServiceCenter) to record all sewage related calls/conversations (voice clips) and attach them to a sewage spill report (e.g., 6-digit ticket number). ISD is currently developing a ServiceCenter data entry form that will allow the County Operator to populate spill information at the time the call is received. Environmental Health will have access to the ServiceCenter ticket application in order to make journal entries and modify/update information contained in the initial sewage spill report.

Using a proposed Voice Print application, the County Operator would manually "tag" all voice clips to the sewage spill ticket number. The sewage spill ticket number will be established by the County Operator at the time the call is received.

The existing emergency phone number (213.974.1234) will allow reporting agencies and members of the general public to report sewage spill incidents or other types of emergencies (e.g. restaurant fires, carbon monoxide incidences, lack of hot/running water in residential units, etc.).

Additionally, a dedicated telephone number will be put in place strictly for Environmental Health staff to update and record spill information. This will bypass the public number (213.974.1234) and will be accessible to Environmental Health staff via numerical password.

In order to ensure that all voice clips remain assigned to a specific sewage spill ticket number, the County Operator will be required to stay on the line during all subsequent follow-up conversations held by Environmental Health. The call center will utilize ServiceCenter application, which is available 24 hours/ 7 days a week, in replacement of the Startel system currently used by ISD to receive sewage spills during weekend and after hours. ISD has informed us that they expect to be able to deploy Phase I solutions at the start of fiscal year 2007-2008.

Phase II, which ISD states they will be able to deploy at the start of November of 2007, will provide software modification and programming that will allow the County Operator to electronically "tag" voice clips to a particular sewage spill ticket with a single click of a button. In addition, ISD will create an interface between the ServiceCenter system and Environmental Health's web-based database so that a "sub-set" of the ServiceCenter ticket number will be "pushed" out to create the initial record on Environmental Health's system. Any updates made to the ServiceCenter ticket, if appropriate, will be sent out to update the incident on Environmental Health's system. This application will not affect the ability of the public to access Environmental Health's web-based data-base to view and query sewage spill reports.

- In Phase III, ISD will replace the existing application with a more advanced communications technology. The new technology will enable the system to **automatically** "tag" the voice recording/clip to the sewage spill ticket. ISD states that this system, which will be based on VoIP and Cisco's IPCC (IP Call Center) technology, is not expected to be in production until the end of the 2007-2008 fiscal year.

ISD is developing a cost estimate to account for all three phases and a department service order (DSO) as needed.

ISD has begun preliminary testing of the VoicePrint application (VPAppend) and initial training of county operators on how to access the ServiceCenter screen, populate sewage spill ticket information, and enter the correct flagging information for the voice clips using VPAppend.

5. **To make the timeframe determined above an enforceable requirement in Los Angeles County, the Board of Supervisors consider requesting the Los Angeles Regional Water Quality Control Board to amend the Wastewater Discharge Requirements to include a requirement that specifies when the County's Public Health Officer should be notified of a sewage spill.**

To implement Section 4 of the motion approved by the Board on January 30, 2007, the Executive Officer sent a letter to the Los Angeles Water Quality Control Board on April 4, 2007, requesting that they:

- d. Amend the Los Angeles County National Pollutant Discharge Elimination System Permit and Waste Discharge Requirements to require sewer system owners/operators to implement the Auditor-Controller's recommendations;
- e. Convene a work group of key stakeholders to develop specific maintenance standards for owners/operators of sanitary sewer systems in the County; and
- f. Seek appropriate authority and funding to create and operate an ongoing independent sanitary sewer collection system monitoring program which would monitor sanitary sewer owners/operators for compliance with established maintenance standards and would include a written report on the monitoring results.

6. **The Board of Supervisors instruct the Department of Public Health, in consultation with the Public Health Commission, to develop an educational program for owners/operators of sanitary sewer systems, which shall include, but not limited to, clarification on how soon the public health officer must be contacted after a spill and the names and telephone numbers of all County representatives that should be notified following a sewage spill.**

Environmental Health staff received and reviewed comments provided by members of all three subcommittees. After the subcommittees submitted their comments, the Department of Public Health, in consultation with the City of Los Angeles Bureau of Sanitation, Los Angeles County Sanitation Districts, and the Los Angeles County Department of Public Works, developed a survey letter and mailed it on July 6, 2007 to the all contract cities and various sewer agencies. The purpose of the letter and survey is to 1) remind cities regarding their obligations under the California Health and Safety Code to report sewage spills in their jurisdiction to this Department, 2) advise all affected parties of the single 24 hour reporting telephone number (currently County Emergency Operator) 3) provide information as available on the proposed new regional call center, and 4) solicit comments as to what current policies/practices exist regarding sewage spill reporting procedures/requirements for sewer contractors, wastewater treatment plant operators and collection system personnel.

The results of this survey will assist staff in developing an educational program for owners/operators of sanitary sewer systems, as well as the development and distribution of information explaining how the general public can file a sewage discharge report. When sufficient response have been received and reviewed, Environmental Health will contact the Public Health Commission to present an outline of the proposed education program for review and comment.

7. **The Board of Supervisors consider seeking an amendment to the Water Code to include a requirement that the local public health officer be immediately notified in the event of a sewage spill.**
8. **The Board of Supervisors consider seeking a change in State law to permit civil fines to be imposed on persons who do not immediately notify the local public health officer when a sewage spill occurs.**

AB 800 by Assembly Members Lieu, Brownley, and Krekorian, is the County-sponsored bill which is seeking to implement these recommendations. The Chief Administrative Office and the County's legislative advocates are working closely with the legislators on these issues. Department staff have traveled to Sacramento several times to testify in support of AB 800. The CAO will keep the Board informed of developments through its regular Sacramento updates.

9. **Board of Supervisors instruct the Department of Public Health to provide the County operator with an emergency contact list that contains the names and telephone numbers of at least three employees who will be on-call to receive reports of sewage spills after normal business hours and to ensure that the contact list is always accurate and up-to-date.**
10. **Board of Supervisors instruct the Department of Public Health to instruct the County Operator in writing to report all sewage spills to an employee listed on the emergency contact list and to make repeated telephone calls if necessary until an employee is reached, and to discontinue the practice of leaving messages on voicemail or answering machine systems.**

On February 13, 2007, the County Operator was given a written memo, with the names and home, cellular and pager numbers for staff responding to weekend and after hours sewage discharge reports. The County Operator is instructed to contact everyone on the list provided by Environmental Health until a "live" person is reached. A total of seven names have been provided to ensure a timely and appropriate response. If a sewage discharge report is received on the weekend, Environmental Health has assigned two staff members of the seven to be on-call and reachable on a rotating basis, via home/cellular phone and pager, to respond as appropriate.

The County Operator was instructed to

- Report all sewage discharges to Environmental Health regardless of the amount or location of the sewage discharge or the disposition of sewage.
- Report all sewage discharges to Environmental Health received during normal, weekend, or after hours.
- Continue the reporting process until an Environmental Health employee is reached rather than leave a message.

Prior to receiving the February 13th memo, the County Operator only reported discharges to Environmental Health on the same day that the Operator received initial notification of the spill if the discharges were 1,000 gallons or more. When receiving reports of discharges of less than 1,000 gallons, the County Operator would notify Environmental Health the next business day.

On March 13, 2007, Environmental Health staff met with ISD staff from the Customer Assistance Division (which includes the emergency operator unit), to discuss the automated notification system and clarify Environmental Health's emergency call list and procedures.

On March 16, 2007, the County Operator was given documents that revised the list of emergency call responders along with instructions clarifying Environmental Health's emergency protocol.

On June 29, 2007, a memo was sent to the County Operator informing them of the new sewage spill reporting requirements and reminding them of their responsibility to receive all sewage discharge reports 24 hours/day 7 days a week, which became effective July 1, 2007. The County Operator was also provided with a revised list of emergency call responders along with the weekend/holiday standby schedule for the months of July through December of 2007.

11. The Board of Supervisors instruct the Department of Public Health to develop policies and procedures to centralize the reporting and tracking of all sewage spills within the Department's Recreational Health Program.

On February 1, 2007, all staff members of the Recreational Health Program were trained on protocols for receiving sewage discharge reports from responsible agencies or the County Operator.

Environmental Health has developed a Sewage Discharge Incident Report Form that will be utilized by all Environmental Health units that respond to sewage discharge incidents from sources other than those agencies required to report discharges. For example, housing or food inspectors may learn of a sewage discharge from a multi-family housing complex or a restaurant where the sewage is going from private property onto the street. In this manner, sewage discharges from any source that may potentially impact waters, if known to any unit of Environmental Health, will be reported to the Water Quality Program. On March 16 2007, a directive was issued to Environmental Health staff that implements these reporting procedures. These reporting procedures were reinforced during meetings with unit supervisors on March 29.

On March 15, 2007, Environmental Health staff assigned to the Water Quality Program were trained on protocols for receiving sewage discharge reports from the County Operator and/or responsible agencies.

Newly assigned Environmental Health staff to the Water Quality Program are currently being trained on procedures for collecting ocean water samples and emergency response in order to increase response capacity.

On May 3, 2007, staff from the Water Quality Program met with Chiefs from the Housing Inspection Bureau. Water Quality staff clarified the sewage discharge reporting requirements expected of Housing Inspection Bureau staff responding to sewage discharges that may occur in the community. An updated sewage discharge reporting form was distributed.

On August 22, 2007, a memo was sent to the Public Health Commission to address concerns regarding sewage discharges in public streets. The purpose of the memo was to describe the protocols used by Environmental Health staff when responding to sewage discharges that occur at commercial properties and single/multiple family dwellings. The memo also advised the Commission that Environmental Health is in discussions with various sewer agencies and municipalities regarding their protocols for responding to sewage discharges, including procedures for clean-up of sewage on public property.

12. **The Board of Supervisors instruct the Department of Public Health to require Recreational Health Program to immediately begin documenting and tracking all reports of sewage spills, and providing reference/tracking numbers to persons reporting sewage spills.**

As reported to you in our February 6, 2007 memorandum, Environmental Health established a database of sewage spill reports (from 2002 to the present) that includes such information as the date of report, location, start and end time, reporting party, cause and actions taken. The information is color coded to indicate significant reporting delay, reported to Public Health (Environmental Health), amount of spill, amount contained, whether the spill reached the ocean, and if discharge into ocean was insignificant or required beach closure. This information is currently being posted on the web as a PDF file and Environmental Health staff is updating it on a weekly basis.

The following table identifies the number of sewage discharges and beach closures that were reported to Environmental Health since January 1, 2007:

Reporting month	Number of Sewage Discharge Reports	Number of Beach Closures
January	21	1
February	44	3
March	61	0
April	88	0
May	69	1
June	58	1
July	62	1
Aug. 1 -21, 2007	41	0

A web-based sewage discharge tracking database, which allows Environmental Health staff to seamlessly post updated information on the Environmental Health website was activated on May 1, 2007. This website allows users to query sewage discharges from April 12, 2007 by city, zip code, month, year, and gallons. Historical data prior to April 12, 2007 is archived and viewable. On May 1, 2007, Environmental Health incorporated into their database a system by which a tracking number will be automatically assigned to each discharge report.

On August 21, 2007, a letter was mailed to the Governor's Office of Emergency Services (OES) requesting them to assist Environmental Health in reconciling records regarding sewage spill reporting in Los Angeles County. OES was provided with a list of sewage spills of 1,000 gallons or more that have been reported to Environmental Health since January 1, 2007.

13. **The Board of Supervisors instruct the Department of Beach and Harbors and the Fire Department to submit a reimbursement claim to the Los Angeles County Sanitation Districts for costs incurred in responding to the January 2006 Manhattan Beach sewage spill.**

The Fire Department advised that a claim was submitted to the Los Angeles County Sanitation District the week of February 19, 2007. The Department of Beaches and Harbors advised that a claim was filed on March 5, 2007.

14. **The Board of Supervisors consider requesting the Governor to appoint someone with an expertise in public health to fill the vacant membership position on the Los Angeles Regional Water Board.**
15. **The Board of Supervisors consider seeking an amendment to the Water Code to require that at least one of the Water Board's seven membership categories include someone with a public health background.**

To implement Section 3 of the motion approved by the Board on January 30, 2007, on April 4, 2007, the Executive Officer sent a letter, signed by the Board, with the Auditor-Controller's Report, to Governor Schwarzenegger and the Los Angeles County Legislative Delegation, requesting amendments to State law to:

- a. Require that the local health officer be immediately notified in the event of a sewage spill,
- b. Permit civil fines to be imposed on persons who do not immediately make that notification, and
- c. Require at least one Water Board member to have a public health background.

The Board further requested an investigation into whether the problems Los Angeles County experienced in reporting and documenting potentially harmful sewage spills as required by law are also occurring elsewhere in the State.

AB 800 by Assembly Members Lieu, Brownley, and Krekorian, is the County-sponsored bill which is seeking to implement these recommendations. The Chief Administrative Office and the County's legislative advocates are working closely with the legislators on these issues. A motion by Supervisors Knabe and Yaroslavsky which was adopted by the Board on May 15, 2007, instructed the County's legislative advocate to continue to pursue the addition of a member with public health expertise on the Water Board separately from the County's efforts as the sponsor of AB 800.

16. **The Board of Supervisors instruct the Department of Public Health, in conjunction with the Public Health Commission, the Auditor-Controller, and County Counsel to determine whether new State laws are needed to ensure the protection of public health when sewage spills discharge into dry riverbeds that are near residential communities.**

On April 3, 2007, the Board approved this additional recommendation with the addition of any other locations. Public Health staff have discussed this preliminarily with the Public Health Commission to understand the scope of locations to include, and with County Counsel. A follow-up meeting is being scheduled.

On June 28, 2007, Environmental Health staff met with County Counsel to discuss this recommendation to determine whether additional legislation is needed for sewage spills that discharge or have the potential to enter dry riverbeds.

On August 6, 2007, County Counsel provided its advice that the determination of whether a dry river bed would be considered part of the “waters of the state,” will likely be a factual determination based on whether the dry river bed becomes wet with some frequency. However, due to the uncertainty that this case-by-case analysis may entail, the County may wish to consider and implement alternative means of enforcement and notification procedures.

Action Plan Auditor-Controller's Recommendations

No.	RECOMMENDATION	LEAD	ACTION	ISSUES/COMMENTS	TARGET DATES	STATUS
4	The Board of Supervisors instruct the Department of Public Health, in collaboration with interested environmental groups and sewer system owners/operators, the Department of Beaches and Harbors, Fire Department/Lifeguard Division, and Los Angeles Regional Water Quality Control Board, to define the mandatory timeframe for reporting a sewage spill to the County's Public Health Officer.	DPH	<p>Environmental Health staff met with Rita Robinson and key staff from the LA City Bureau of Sanitation to discuss spill reporting procedures and implementation concerns.</p> <p>Public Health staff met with all stakeholders to review the Board's motion and action, review the Auditor-Controller's report, review current legislation regarding sewage spill reporting, review actions taken to date in response to the Board's motion and Auditor-Controller's report, and to discuss preparation of a draft response plan to address the Board's motion and Auditor-Controller's recommendations.</p> <p>A letter was mailed to the cities of Pasadena, Vernon, and Long Beach requesting that sewage discharges which take place in their respective jurisdiction and have the potential to enter Los Angeles County jurisdiction be reported to the Los Angeles County Health Officer.</p>	<p>EH shared reporting procedures and exchanged contact information of key personnel to insure effective communication and actionable information during sewage spill reporting</p> <p>At this meeting, three subcommittees were formed for the purpose of 1) determining spill reporting timeline requirements, 2) developing a contractor notification/reporting policy and 3) developing a regional reporting call center.</p>	<p>Sub-committees scheduled to meet within 30 days. 3-23-07</p>	<p>Completed Meeting held on 2-14-07</p> <p>Completed Meeting held on 2-23-07</p> <p>Completed Letter mailed on 2-16-07.</p>

Action Plan for Auditor-Controller's Recommendations

No.	RECOMMENDATION	LEAD	ACTION	ISSUES/COMMENTS	TARGET DATES	STATUS
			<p>Environmental Health staff met Margo Noll from Internal Services Department to discuss and evaluate the existing emergency call system and to clarify Environmental Health's emergency call list and procedures.</p> <p>Environmental Health staff met with members of all three sub-committees. Environmental Health has prepared reports to memorialize the discussion and findings derived from these meetings. These reports were distributed to all sub-committee members for review and comments.</p>	<p>Further research analysis is required regarding the Service Center Program and time stamping capabilities.</p> <p>Environmental Health will continue to work with members of the sub-committees, and will provide the sub-committee's responses in the next monthly report.</p>	<p>Meeting scheduled for 3-13-07</p>	<p>Completed Meeting held on 3-13-07. A follow-up meeting is to be scheduled ASAP.</p> <p>Meetings were held on March 20-21, 2007.</p>

No.	RECOMMENDATION	LEAD	ACTION	ISSUES/COMMENTS	TARGET DATES	STATUS
			Public Health staff are scheduled to meet with the Long Beach Health Officer to discuss the regional call center.	<p>On March 29, 2007, Dr. Fielding and key department staff met with Ronald Arias (City of Long Beach Health and Human Services Director), Darryl Sexton (City of Long Beach Health Officer), Jeff Benedict (City of Long Beach Environmental Health Director), and other Long Beach staff to discuss inter-jurisdictional sewage spill notification, a proposal for a regional call center, and pending legislation regarding sewage spills. The departments also exchanged information on issues affecting water quality and uniform standards for grading Los Angeles County beaches, including Long Beach. We committed to work together cooperatively on all elements of sewage spill reporting and disclosure.</p>	Meeting is scheduled for 3-29-07	Completed Meeting held on 3-29-07

Action Plan for Auditor-Controller's Recommendations

No.	RECOMMENDATION	LEAD	ACTION	ISSUES/COMMENTS	TARGET DATES	STATUS
			<p>Environmental Health staff is scheduled to meet with ISD information technology staff on April 4, 2007, to discuss the technical/software expansion capabilities of the current audio-data emergency call system.</p>	<p>This is a follow-up meeting to secure technical information regarding ISD call center expansion capability as well as information in which to draft scope-of-work specifications for RFP contractor operated regional call center.</p>	<p>Meeting is scheduled for 4-4-07.</p>	<p>Meeting held on 4-4-07.</p>
			<p>Environmental Health staff is scheduled to meet with staff from ISD's Information Technology Service and Customer Assistance Division to discuss a proposal to improve tracking of sewage spill reports using a three-phase approach.</p>	<p>ISD is developing a cost estimate to account for all three phases a Department Service Order (DSO) as needed.</p>	<p>Meeting is scheduled for May 24, 2007.</p>	<p>Meeting held on 5-24-07.</p>

Action Plan for Auditor-Controller's Recommendations

6	<p>The Board of Supervisors instruct the Department of Public Health, in consultation with the Public Health Commission, to develop an educational program for owners/operators of sanitary sewer systems, which shall include, but not limited to, clarification on how soon the public health officer must be contacted after a spill and the names and telephone numbers of all County representatives that should be notified following a sewage spill.</p>		<p>After the three subcommittees make their recommendations, the Department of Public Health, in consultation with the Public Health Commission, will develop educational materials and distribute it to all owner/operators of sanitary sewer systems in the County. The Department will also develop and distribute information explaining how the general public can file a sewage discharge report.</p> <p>Environmental Health will develop a survey letter and distribute it to all contract cities to determine what current practice/policies exists regarding sewage spill reporting procedures for sewer contractors, wastewater treatment plant operators, and collection system personnel.</p>	<p>Upon review of survey responses, Environmental Health will contact the Public Health Commission to present an outline of the proposed education program for review and comment.</p>	<p>Educational materials and distribution plan to be developed by May 31.</p> <p>The period for subcommittee comments has elapsed and Environmental Health staff has incorporated comments and recommendations into the survey letter, which was mailed to all contract cities and various sewer agencies on July 6, 2007.</p>
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Action Plan for Auditor-Controller's Recommendations

No.	RECOMMENDATION	LEAD	ACTION	ISSUES/COMMENTS	TARGET DATES	STATUS
9	<p>Board of Supervisors instruct the Department of Public Health to provide the County operator with an emergency contact list that contains the names and telephone numbers of at least three employees who will be on-call to receive reports of sewage spills after normal business hours and to ensure that the contact list is always accurate and up-to-date.</p>		<p>The County Operator has been provided in writing with the names and home, cellular and pager number for staff responding to weekend and after hours sewage discharge reports. If a sewage discharge report is received after hours during the work week, the County Operator is instructed to contact everyone on the list provided by Environmental Health until a "live" person is reached. If a sewage discharge report is received on the weekend, Environmental Health has assigned two staff members to be on-call and reachable, via home/cellular phone and pager, to respond as appropriate.</p>			<p>Completed Letter mailed on 2-13-07.</p>
			<p>The County Operator was provided with a list of seven employees, each with three modes of communication, who can be called to receive after-hour reports.</p>			<p>Completed Letter mailed 2-14-07.</p>
			<p>The County operator was provided with a monthly calendar of the employees who will be on-call to receive reports of sewage spills during weekend hours (Friday at 5:30 pm to Monday at 7:00 am).</p>			<p>Completed Letter mailed on 3-16-07.</p>

No.	RECOMMENDATION	LEAD	ACTION	ISSUES/COMMENTS	TARGET DATES	STATUS
10	Board of Supervisors instruct the Department of Public Health to instruct the County Operator in writing to report all sewage spills to an employee listed on the emergency contact list and to make repeated telephone calls if necessary until an employee is reached, and to discontinue the practice of leaving messages on voicemail or answering machine systems.		<p>The County Operator has been instructed to report all sewage discharges to Environmental Health regardless of the amount or location of the sewage discharge or the disposition of sewage; report all sewage discharges to Environmental Health received during normal, weekend or after hours; and continue the reporting process until an Environmental Health employee is reached rather than leaving a message.</p> <p>On March 13, 2007, Environmental Health staff met with ISD staff from the Customer Assistance Division (which includes the emergency operator unit), to discuss the automated notification system and clarify Environmental Health's emergency call list and procedures.</p> <p>On March 16, 2007, the County Operator was given documents that revised the list of emergency call responders along with instructions clarifying Environmental Health's emergency protocol.</p>	<p>Prior to receiving the February 13th memo, the County Operator only reported discharges to Environmental Health on the same day that the Operator received initial notification of the spill if the discharges were 1,000 gallons or more. When receiving reports of discharges of less than 1,000 gallons, the County Operator would notify Environmental Health the next business day.</p>		<p>Letter mailed on 2-13-07.</p> <p>Completed Meeting was held on 3-13-07</p> <p>Completed Letter mailed on 3-16-07.</p>

				<p>Provide a memo to the County Operator informing them of the new spill reporting requirements and reminding them of their responsibility to receive all sewage discharge reports 24 hours/day 7 days a week, which became effective July 1, 2007. The County Operator was also provided with a revised list of emergency call responders along with the weekend/holiday standby schedule for the months of July through December 2007.</p>			<p>Completed Letter was mailed on June 29, 2007</p>
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No.	RECOMMENDATION	LEAD	ACTION	ISSUES/COMMENTS	TARGET DATES	STATUS
11	The Board of Supervisors instruct the Department of Public Health to develop policies and procedures to centralize the reporting and tracking of all sewage spills within the Department's Recreational Health Program.		<p>All staff members of the Recreational Health Program were trained on protocols for receiving sewage discharge reports from the County Operator and responsible agencies.</p> <p>Environmental Health reorganized the Recreational Health Program to form the Pool Inspection Program and the Water Quality Program.</p> <p>Newly assigned Environmental Health staff to the Water Quality Program are currently being trained on procedures for collecting ocean water samples and emergency response in order to increase response capacity.</p> <p>Environmental Health staff assigned to the Water Quality Program were trained on protocols for receiving sewage discharge reports from the County Operator and/or responsible agencies.</p>	<p>This action will provide specific focus and responsibility to staff assigned to the Water Quality program in the areas of fresh and ocean water quality monitoring, including implementing actions when water quality standards are not met, such as related to sewage spills and discharges.</p>		<p>Completed Training provided on 2-1-07.</p> <p>Completed on 3-12-07.</p> <p>Initial training on 3-12-07 and ongoing for remaining staff.</p> <p>Completed Training provided on 3-15-07</p>

No.	RECOMMENDATION	LEAD	ACTION	ISSUES/COMMENTS	TARGET DATES	STATUS
			<p>Environmental Health has developed a Sewage Discharge Incident Report Form that will be utilized by all Environmental Health units that respond to sewage discharge incidents from sources other than those agencies required to report discharges. For example, housing and food inspectors may learn of a sewage discharge from a multi-family housing complex or a restaurant where the sewage is going from private property on to the street.</p> <p>A directive was distributed to all Environmental Health Bureau Directors that standardizes the reporting procedures for sewer discharges for all units of Environmental Health. This directive ensures that sewage discharges from any source that may potentially impact waters, if known to any unit of Environmental Health, will be reported to the Water Quality Program.</p> <p>Environmental Health Bureau Directors of the Food and Housing Inspection Programs met with their unit supervisors to present the directive, thereby insuring uniform compliance to the reporting and notification procedures associated with sewage spills.</p>	<p>This action will enhance Environmental Health's response to sewage discharges that may potentially have impact on ocean waters as discharges not addressed through requisite reporting agencies will be accounted for.</p>		<p>Completed on 3-16-07.</p> <p>Completed on 3-16-07</p> <p>Completed Meeting held on 3-29-07.</p>

<p>Environmental Health is scheduled to meet with representatives from the Auditor-Controller's Office to discuss the Board motion and the Auditor-Controller's report, with emphasis on those recommendations in which Public Health is accountable for completing.</p>	<p>At this meeting, Environmental Health will provide an overview on the actions taken to date and direction in which the Department was headed.</p> <p>On July 13, 2007, Environmental Health provided the Auditor-Controller with copies of letters, meeting minutes, recommendations, and monthly reports to the Board, etc., as requested during the July 10, 2007 meeting.</p>	<p>July 10, 2007</p>	<p>Completed. Meeting was held on July 10, 2007</p>
<p>Provide a memo to the Public Health Commission to address concerns regarding sewage discharges in public streets.</p>	<p>The purpose of the memo is to 1) describe protocols used by Environmental Health staff when responding to sewage discharges that occur at commercial properties and single/multiple family dwelling units and 2) inform the Commission that Environmental Health is in discussions with various sewer agencies and municipalities regarding protocols for responding to sewage discharges, including procedures for clean-up of sewage on public property.</p>	<p>Aug. 21, 2007</p>	<p>Completed. Memo was emailed on Aug. 21, 2007.</p>

No.	RECOMMENDATION	LEAD	ACTION	ISSUES/COMMENTS	TARGET DATES	STATUS
12	The Board of Supervisors instruct the Department of Public Health to require Recreational Health Program to immediately begin documenting and tracking all reports of sewage spills, and providing reference/tracking numbers to persons reporting sewage spills.		<p>Environmental Health established a database of sewage spill reports (from 2002 to present) that includes such information such as the date of report, location, start and end time, reporting party, cause and actions taken. The information is color coded to indicate significant reporting delay, reported to Public Health (Environmental Health), amount of spill, amount contained, whether the spill reached the ocean, and if discharge into ocean was insignificant or required beach closure.</p> <p>Environmental Health staff met with staff from Public Health Web Informatics to establish a web-based sewage tracking database.</p>	<p>This information is currently being posted on the web as a PDF file and Environmental Health staff is updating it on a weekly basis.</p> <p>This database will allow EH to seamlessly post updated information on the Environmental Health website. The website will eventually allow a user to query sewage spills based on certain parameters.</p>		<p>Updated and posted weekly (Fridays)</p> <p>Completed Meeting held on 3-1-07.</p>

No.	RECOMMENDATION	LEAD	ACTION	ISSUES/COMMENTS	TARGET DATES	STATUS
			<p>Environmental Health staff has begun testing of the new web-based database.</p> <p>Environmental Health will incorporate into their database a system in which a tracking number will be automatically assigned to each discharge report.</p> <p>Provide a letter to the Governor's Office of Emergency Services (OES) requesting them to assist Environmental Health in reconciling records regarding sewage spill reporting in Los Angeles County. Provide a list of sewage spills of 1,000 gallons or more that have been reported to Environmental Health since January 1, 2007.</p>	<p>Initial testing has revealed several deficiencies that require resolution before implementation. As a result, a revised version was provided to Environmental Health on March 28, 2007 for additional testing.</p>	<p>If the database meets Environmental Health's needs, posting of the database on the Environmental Health website is expected to be completed by June 1, 2007.</p> <p>May 1, 2007</p> <p>Aug. 21, 2007</p>	<p>Web-based database activate on 5-1-07.</p> <p>Completed 5-1-07.</p>

13	The Board of Supervisors instruct the Department of Beach and Harbors and the Fire Department to submit a reimbursement claim to the Los Angeles County Sanitation Districts for costs incurred in responding to the January 2006 Manhattan Beach sewage spill.	Dept. of Fire and Beach and Harbors	The Fire Department advised that a claim was submitted to the Los Angeles County Sanitation District. The Department of Beaches and Harbors has advised that a claim was submitted to the Los Angeles County Sanitation District.		Completed during the week of 2-29-07. Completed on March 5, 2007.
16	The Board of Supervisors instruct DPH, in conjunction with the Public Health Commission, the Auditor-Controller, and County Counsel to determine whether new State laws are needed to ensure the protection of public health when sewage spills discharge into dry riverbeds that are near residential communities.		Environmental Health met with County Counsel to discuss this recommendation. County Counsel provided its opinion that dry river beds are "waters of the state," if they become wet with some frequency. Because of the uncertainty of the case-by-case analysis, the County may wish to consider and enforce alternative procedures.	Environmental Health will consult with the other departments to whether any alternative procedures are necessary.	Completed. Meeting was held on June 28, 2007.



COUNTY OF LOS ANGELES

Public Health

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October 17, 2007

TO: Each Supervisor

FROM: Jonathan E. Fielding, M.D., M.P.H.
Director and Health Officer

SUBJECT: **PROTOCOLS FOR NOTIFICATION OF SEWAGE SPILLS**

On January 30, 2007, the Board approved Supervisor Knabe's motion, as amended by Supervisor Yaroslavsky, concerning the Auditor-Controller's report on failed protocols which delayed notification of the Health Officer of sewer spills. Sections 1 and 2 of the motion contained the following instructions:

1. Direct the Director of Public Health, in close consultation with the Public Health Commission, Auditor-Controller, Chief Administrative Officer and County Counsel to:
 - a. Lead a project to pursue all 15 Auditor-Controller recommendations to conclusion,
 - b. Assume personal accountability for the results,
 - c. Designate a senior manager to serve as day-to-day project manager and advise the Board of his/her selection within one week,
 - d. Work closely and consultatively with affected County Departments and Districts, the Los Angeles Regional Water Quality Control Board, Heal the Bay, Santa Monica Baykeepers, the City of Los Angeles and all other affected constituencies,
 - e. Submit in no more than 60 days and present to the Board as a set item on April 3, 2007, the approach proposed to implement each recommendation along with an action plan and time table to accomplish the specified results,
 - f. Include as part of the project plan the additional task of critiquing the County's public health disaster response plans based on the improvements planned as a result of the Auditor-Controller's report, and
 - g. Provide monthly project status reports to the Board pending the Auditor-Controller's one year follow-up report, and
2. Instruct the County Fire Chief, the Directors of Public Works and Beaches and Harbors, and request the County Sanitation Districts, the Los Angeles Regional Water Quality Control Board, Heal the Bay, Santa Monica Baykeepers, the City of Los Angeles and all other affected constituencies to work with the Director of Public Health and his staff in this effort.

On April 3, 2007, the Board approved a motion by Supervisor Knabe, that the Board, consistent with the Auditor-Controller's recommendation, instruct the Director of Public Health, in conjunction with the Public Health Commission, the Auditor-Controller, County Counsel and affected agencies and constituencies, to determine whether State laws should be amended to further ensure the protection of the public's health when raw sewage is discharged into dry riverbeds and other locations. Action and status reporting on this matter has been integrated with that of the other sewage spill-related recommendations previously approved by the Board.

On February 6, 2007, I sent you a report in which I named the day-to-day project manager and provided you with an update on actions taken as of that date. On March 5, 2007, I provided you with the first monthly status report. On March 30, 2007, I provided the sixty-day report for the Board agenda of April 3, 2007. On May 11, June 15, and August 22, 2007, I provided monthly status reports.

This is the sixth monthly status report. Attached are the 16 recommendations of the Auditor-Controller with the current status of each recommendation. Also attached is an action plan and time table to accomplish the specified results for the non-legislative recommendations. The CEO will include updates on the legislative changes as part of its regular legislative status reports to the Board.

On July 10, 2007, Environmental Health staff met with representatives from the Auditor-Controller's Office to discuss the Board motion and the status of the sixteen (16) recommendations of the Auditor-Controller's report. The purpose of the meeting was to provide an overview of the status of each recommendation in preparation of the Auditor-Controller one-year report back to the Board.

Each recommendation was discussed; however, emphasis was placed on those recommendations in which Public Health was accountable for completion. This included recommendation numbers 4, 6, 10, 11, 12 and 16. Environmental Health provided a summary of the actions taken to date and the direction in which the Department was headed. On July 13, 2007, Environmental Health provided the Auditor-Controller with copies of letters, minutes of meetings, recommendations, and monthly reports to the Board, etc., as requested during the meeting of July 10, 2007.

On August 2, 2007, the Auditor-Controller facilitated a meeting between Environmental Health and the Regional Water Quality Control Board in order to discuss common goals for spill reporting. Both parties agreed that appearance before the Public Health Commission is needed in order to gain input from the Commission regarding the proposed education plan for sewer operators.

On August 23, 2007, representatives from Public Health, the Regional Water Quality Control Board, County Counsel, the Chief Executive Office, and the Auditor-Controller's Office met with the Public Health Commission to discuss the status of the recommendations of the Auditor-Controller's report. At this meeting the Commission recommended that Public Health 1) make revisions to the Environmental Health website to make it more user friendly, 2) explore the possibility of shortening the time frame for implementing the sewage spill tracking system, 3) make recommendations on how the Commission can assist in developing the educational program, and 4) delineate more specifically a response to recommendation #16 and report back to the Commission.

Each Supervisor
October 17, 2007
Page 3

On September 27, 2007, Environmental Health and the Internal Services Department (ISD) met with the Public Health Commission to outline the status of the sewage spill reporting system as well as provide an overview of the proposed education plan for owners/operators of sanitary sewer systems. On October 11, 2007, Environmental Health presented drafts of educational brochures for the Commission's review and comment. The Commission was also advised that its suggested website revisions were completed, including the addition of uniform time reporting for all incidents and information pop-ups defining each reporting column.

I will provide you with the next monthly report by November 13, 2007. In the meantime, if you have any questions or need additional information, please let me know.

JEF:tp
PH:701:010(8)

Attachment

c: Chief Executive Officer
County Counsel
Executive Officer, Board of Supervisors
Auditor-Controller
Director of Internal Services
Public Health Commission

**AUDITOR CONTROLLER'S RECOMMENDATIONS
REGARDING SEWER SPILL NOTIFICATION
STATUS REPORT – October 17, 2007**

1. **The Board of Supervisors consider requesting the Los Angeles Regional Water Quality Control Board to amend the Los Angeles County NPDES permit and WDR to require sewer system owners/operators to:**
 - a. **At a minimum, operate and maintain their sewer system equipment at the level specified by the equipment's manufacturer with additional maintenance performed as necessary to prevent sewage spills from occurring.**
 - b. **Perform regular tests of their pumping station alarm systems, backup pumps, and electrical generators to ensure they will function as intended during an emergency.**
 - c. **Maintain documentation to support all maintenance and testing of their sewer systems.**
2. **The Board of Supervisors consider requesting the Los Angeles Regional Water Quality Control Board to amend the Los Angeles County NPDES permit and WDR to require sewer system owners/operators to convene a work group of key stakeholders to develop specific maintenance standards for owners/operators of sanitary sewer systems in Los Angeles County.**
3. **The Board of Supervisors consider requesting the Los Angeles Regional Water Quality Control Board to amend the Los Angeles County NPDES permit and WDR to require sewer system owners/operators to seek appropriate authority and funding to create and operate an ongoing independent sanitary sewer collection system monitoring program. The program would monitor sanitary sewer owners/operators for compliance with established maintenance standards and would include a written report on the monitoring results.**

To implement Section 4 of the motion approved by the Board on January 30, 2007, the Executive Officer sent a letter to the Los Angeles Water Quality Control Board on April 4, 2007, requesting that they:

- a. **Amend the Los Angeles County National Pollutant Discharge Elimination System Permit and Waste Discharge Requirements to require sewer system owners/operators to implement the Auditor-Controller's recommendations;**
- b. **Convene a work group of key stakeholders to develop specific maintenance standards for owners/operators of sanitary sewer systems in the County; and**
- c. **Seek appropriate authority and funding to create and operate an ongoing independent sanitary sewer collection system monitoring program which would monitor sanitary sewer owners/operators for compliance with established maintenance standards and would include a written report on the monitoring results.**

4. **The Board of Supervisors instruct the Department of Public Health, in collaboration with interested environmental groups and sewer system owners/operators, the Department of Beaches and Harbors, Fire Department/Lifeguard Division, and Los Angeles Regional Water Quality Control Board, to define the mandatory timeframe for reporting a sewage spill to the County's Public Health Officer.**

On February 14, 2007, Environmental Health staff met with Rita Robinson, Director of the City of Los Angeles Bureau of Sanitation and key staff to discuss spill reporting procedures and implementation concerns.

On February 23, 2007, Public Health staff met with representatives of the following stakeholders: City of Los Angeles Sanitation Bureau, Los Angeles County Sanitation Districts, Regional Water Control Board, City of Long Beach Environmental Health, City of Pasadena Public Health Department, Heal the Bay, Santa Monica Baykeeper, County departments of Auditor-Controller, Beaches and Harbors, County Counsel, Internal Services, Public Works, and representatives of Assemblypersons Julie Brownley and Ted Lieu, and the Third Supervisorial District.

The purpose of the meeting was to review the Board of Supervisors' January 30, 2007 motion and action; review the Auditor-Controller's report on failed protocols which delayed notification of the Health Officer of sewer spills; review current legislation regarding sewage spill reporting; review actions taken to date in response to the Board's motion and Auditor-Controller's report; and to discuss the preparation of a draft response plan to address the Board's motion and Auditor-Controller's recommendations.

At this meeting, three subcommittees were formed for the purpose of determining spill reporting timeline requirements; developing a contractor notification/reporting policy; and developing a regional reporting call center.

A letter was mailed to the cities of Pasadena, Vernon, and Long Beach (cities with local health departments) requesting that sewage discharges which take place in their respective jurisdiction and have the potential to enter Los Angeles County Jurisdiction be reported to the Los Angeles County Health Officer.

On March 13, 2007, Environmental Health staff met with staff from the Internal Services Department (ISD) to discuss and evaluate the existing emergency call system and to clarify Environmental Health's emergency call list and procedures. A revised call list along with instructions was sent to ISD on March 16, 2007.

Meetings with all three subcommittees were held on March 20-21, 2007. Environmental Health has prepared minutes of these meetings which were distributed to all subcommittee members for review and comments. Environmental Health will continue to work with members of the subcommittees. Updates on the work of the subcommittees are included under Recommendation 6 in this report.

On March 29, 2007, Dr. Fielding and key department staff met with Ronald Arias (City of Long Beach Health and Human Services Director), Darryl Sexton (City of Long Beach Health Officer), Jeff Benedict (City of Long Beach Environmental Health Director), and other Long Beach staff to discuss inter-jurisdictional sewage spill notification, a proposal for a regional call center, and pending legislation regarding sewage spills. The departments also exchanged information on issues affecting water quality and uniform standards for grading Los Angeles County beaches, including Long Beach. We committed to work together cooperatively on all elements of sewage spill reporting and disclosure.

Environmental Health staff met with ISD information technology staff on April 4, 2007, to discuss the technical/software expansion capabilities of the current audio-data emergency call system.

On May 24, 2007, Environmental Health met with staff from ISD's Information Technology Service (ITS) and Customer Assistance Division (CAD). The purpose of the meeting was to discuss the need for a reporting system which is completely auditable, (i.e., all calls/conversations are time stamped and recorded). The reporting system will be required to track and record initial reports (i.e., receipt of report to Environmental Health) and any subsequent actions taken by Environmental Health (i.e., referral to other Environmental Health programs or other responsible agencies).

At this meeting, ISD outlined a proposal to improve tracking of sewage spill reports using a three-phase approach.

- Phase I features the ability of ISD's current incident tracking system (HP ServiceCenter) to record all sewage related calls/conversations (voice clips) and attach them to a sewage spill report (e.g., 6-digit ticket number). ISD is currently developing a ServiceCenter data entry form that will allow the County Operator to populate spill information at the time the call is received. Environmental Health will have access to the ServiceCenter ticket application in order to make journal entries and modify/update information contained in the initial sewage spill report.

Using a proposed Voice Print application, the County Operator would manually "tag" all voice clips to the sewage spill ticket number. The sewage spill ticket number will be established by the County Operator at the time the call is received.

The existing emergency phone number (213.974.1234) will allow reporting agencies and members of the general public to report sewage spill incidents or other types of emergencies (e.g. restaurant fires, carbon monoxide incidences, lack of hot/running water in residential units, etc.).

Additionally, a dedicated telephone number will be put in place strictly for Environmental Health staff to update and record spill information. This will bypass the public number (213.974.1234) and will be accessible to Environmental Health staff via numerical password.

In order to ensure that all voice clips remain assigned to a specific sewage spill ticket number, the County Operator will be required to stay on the line during all subsequent follow-up conversations held by Environmental Health. The call center will utilize the ServiceCenter application, which is available 24 hours/7 days a week, in replacement of the Startel system currently used by ISD to receive sewage spills during weekend and after hours.

Phase II, which ISD states they will be able to deploy at the start of November of 2007, will provide software modification and programming that will allow the County Operator to electronically "tag" voice clips to a particular sewage spill ticket with a single click of a button. In addition, ISD will create an interface between the ServiceCenter system and Environmental Health's web-based database so that a "sub-set" of the ServiceCenter ticket number will be "pushed" out to create the initial record on Environmental Health's system. Any updates made to the ServiceCenter ticket, if appropriate, will be sent out to update the incident on Environmental Health's system. This application will not affect the ability of the public to access Environmental Health's web-based data-base to view and query sewage spill reports.

- In Phase III, ISD will replace the existing application with a more advanced communications technology. The new technology will enable the system to automatically “tag” the voice recording/clip to the sewage spill ticket. This system will be based on VoIP and Cisco’s IPCC (IP Call Center) technology.

ISD is developing a cost estimate to account for all three phases and a department service order (DSO) as needed.

ISD conducted testing of the VoicePrint application (VPAppend) and training of County operators on how to access the ServiceCenter screen, populate sewage spill ticket information, and enter the correct flagging information for the voice clips using VPAppend.

On September 27, 2007, representatives from Public Health, the Internal Services Department (ISD) and the Auditor-Controller’s Office met with the Public Health Commission to present an overview and status of the sewage spill reporting/tracking system. ISD indicated that all sewage spill calls/conversations are being recorded and attached to a sewage spill ticket number using the voice print application. ISD is currently finalizing the ServiceCenter screen in order to create an interface between the ServiceCenter tracking system and Environmental Health’s web-database. By early November, Environmental Health staff will have access to the ServiceCenter ticket application for the purpose of modifying and updating information contained in the initial sewage spill ticket.

ISD expects to implement Phase I and II solutions by November 2007. In keeping with the Public Health Commission’s request that Environmental Health work with ISD to shorten the implementation timeline, Phase III is expected to deploy in February 2008, approximately four months ahead of the initial estimated implementation date.

- 5. To make the timeframe determined above an enforceable requirement in Los Angeles County, the Board of Supervisors consider requesting the Los Angeles Regional Water Quality Control Board to amend the Wastewater Discharge Requirements to include a requirement that specifies when the County’s Public Health Officer should be notified of a sewage spill.**

To implement Section 4 of the motion approved by the Board on January 30, 2007, the Executive Officer sent a letter to the Los Angeles Water Quality Control Board on April 4, 2007, requesting that they:

- a. Amend the Los Angeles County National Pollutant Discharge Elimination System Permit and Waste Discharge Requirements to require sewer system owners/operators to implement the Auditor-Controller’s recommendations;
- b. Convene a work group of key stakeholders to develop specific maintenance standards for owners/operators of sanitary sewer systems in the County; and
- c. Seek appropriate authority and funding to create and operate an ongoing independent sanitary sewer collection system monitoring program which would monitor sanitary sewer owners/operators for compliance with established maintenance standards and would include a written report on the monitoring results.

- 6. The Board of Supervisors instruct the Department of Public Health, in consultation with the Public Health Commission, to develop an educational program for owners/operators of sanitary sewer systems, which shall include, but not limited to, clarification on how soon the public health officer must be contacted after a spill and the names and telephone numbers of all County representatives that should be notified following a sewage spill.**

Environmental Health staff received and reviewed comments provided by members of all three subcommittees. After the subcommittees submitted their comments, the Department of Public Health, in consultation with the City of Los Angeles Bureau of Sanitation, Los Angeles County Sanitation Districts, and the Los Angeles County Department of Public Works, developed a survey letter and mailed it on July 6, 2007 to the all contract cities and various sewer agencies. The purpose of the letter and survey is to 1) remind cities regarding their obligations under the California Health and Safety Code to report sewage spills in their jurisdiction to this Department, 2) advise all affected parties of the single 24 hour reporting telephone number (currently County Emergency Operator) 3) provide information as available on the proposed new regional call center, and 4) solicit comments as to what current policies/practices exist regarding sewage spill reporting procedures/requirements for sewer contractors, wastewater treatment plant operators and collection system personnel.

The results of this survey will assist staff in developing an educational program for owners/operators of sanitary sewer systems, as well as the development and distribution of information explaining how the general public can file a sewage discharge report. As of October 15, 2007, Environmental Health received 34 of 90 surveys that were distributed to various sewer agencies. Staff has begun drafting the brochures based on the information compiled from the survey, and will continue accepting responses throughout development of the educational plan.

On September 27, 2007, Environmental Health met with the Public Health Commission to provide an overview of the proposed educational program. The primary component of the education plan is to distribute sewage spill brochures to sewer contractors and owners of commercial food establishments and residential dwellings. The brochures will provide information on common causes and prevention methods for sewage discharges, the environmental and public health impact of discharges, and the reporting responsibilities including where/how to report discharges.

Environmental Health will also develop a poster that will be distributed to various sewer agencies that own/operate sewage pump stations. The intent of the poster is to educate wastewater personnel on proper reporting and notification procedures.

On October 11, 2007, Environmental Health met with the Public Health Commission and presented drafts of educational brochures for their review and comment.

7. **The Board of Supervisors consider seeking an amendment to the Water Code to include a requirement that the local public health officer be immediately notified in the event of a sewage spill.**
8. **The Board of Supervisors consider seeking a change in State law to permit civil fines to be imposed on persons who do not immediately notify the local public health officer when a sewage spill occurs.**

AB 800 by Assembly Members Lieu, Brownley, and Krekorian, is the County-sponsored bill designed to implement these recommendations. The Chief Administrative Office and the County's legislative advocates have worked closely with the legislators on these issues. Department staff traveled to Sacramento several times to testify in support of AB 800. On October 10, 2007, AB 800 was signed into law by Governor Schwarzenegger.

9. **Board of Supervisors instruct the Department of Public Health to provide the County operator with an emergency contact list that contains the names and telephone numbers of at least three employees who will be on-call to receive reports of sewage spills after normal business hours and to ensure that the contact list is always accurate and up-to-date.**

10. **Board of Supervisors instruct the Department of Public Health to instruct the County Operator in writing to report all sewage spills to an employee listed on the emergency contact list and to make repeated telephone calls if necessary until an employee is reached, and to discontinue the practice of leaving messages on voicemail or answering machine systems.**

On February 13, 2007, the County Operator was given a written memo, with the names and home, cellular and pager numbers for staff responding to weekend and after hours sewage discharge reports. The County Operator is instructed to contact everyone on the list provided by Environmental Health until a "live" person is reached. A total of seven names have been provided to ensure a timely and appropriate response. If a sewage discharge report is received on the weekend, Environmental Health has assigned two staff members of the seven to be on-call and reachable on a rotating basis, via home/cellular phone and pager, to respond as appropriate.

The County Operator was instructed to:

- Report all sewage discharges to Environmental Health regardless of the amount or location of the sewage discharge or the disposition of sewage.
- Report all sewage discharges to Environmental Health received during normal, weekend, or after hours.
- Continue the reporting process until an Environmental Health employee is reached rather than leave a message.

Prior to receiving the February 13th memo, the County Operator only reported discharges to Environmental Health on the same day that the Operator received initial notification of the spill if the discharges were 1,000 gallons or more. When receiving reports of discharges of less than 1,000 gallons, the County Operator would notify Environmental Health the next business day.

On March 13, 2007, Environmental Health staff met with ISD staff from the Customer Assistance Division (which includes the emergency operator unit), to discuss the automated notification system and clarify Environmental Health's emergency call list and procedures.

On March 16, 2007, the County Operator was given documents that revised the list of emergency call responders along with instructions clarifying Environmental Health's emergency protocol.

On June 29, 2007, a memo was sent to the County Operator informing them of the new sewage spill reporting requirements and reminding them of their responsibility to receive all sewage discharge reports 24 hours/7 days a week, which became effective July 1, 2007. The County Operator was also provided with a revised list of emergency call responders along with the weekend/holiday standby schedule for the months of July through December of 2007.

11. **The Board of Supervisors instruct the Department of Public Health to develop policies and procedures to centralize the reporting and tracking of all sewage spills within the Department's Recreational Health Program.**

On February 1, 2007, all staff members of the Recreational Health Program were trained on protocols for receiving sewage discharge reports from responsible agencies or the County Operator.

Environmental Health has developed a Sewage Discharge Incident Report Form that will be utilized by all Environmental Health units that respond to sewage discharge incidents from sources other than those agencies required to report discharges. For example, housing or food inspectors may learn of a sewage discharge from a multi-family housing complex or a restaurant where the sewage is going from private property onto the street. In this manner, sewage discharges from any source that may potentially impact waters, if known to any unit of Environmental Health, will be reported to the Water Quality Program. On March 16, 2007, a directive was issued to Environmental Health staff that implements these reporting procedures. These reporting procedures were reinforced during meetings with unit supervisors on March 29.

On March 15, 2007, Environmental Health staff assigned to the Water Quality Program were trained on protocols for receiving sewage discharge reports from the County Operator and/or responsible agencies.

Newly assigned Environmental Health staff to the Water Quality Program are currently being trained on procedures for collecting ocean water samples and emergency response in order to increase response capacity.

On May 3, 2007, staff from the Water Quality Program met with Chiefs from the Housing Inspection Bureau. Water Quality staff clarified the sewage discharge reporting requirements expected of Housing Inspection Bureau staff responding to sewage discharges that may occur in the community. An updated sewage discharge reporting form was distributed.

On August 22, 2007, a memo was sent to the Public Health Commission to address concerns regarding sewage discharges in public streets. The purpose of the memo was to describe the protocols used by Environmental Health staff when responding to sewage discharges that occur at commercial properties and single/multiple family dwellings. The memo also advised the Commission that Environmental Health is in discussions with various sewer agencies and municipalities regarding their protocols for responding to sewage discharges, including procedures for clean-up of sewage on public property.

12. The Board of Supervisors instruct the Department of Public Health to require Recreational Health Program to immediately begin documenting and tracking all reports of sewage spills, and providing reference/tracking numbers to persons reporting sewage spills.

As reported to you in our February 6, 2007 memorandum, Environmental Health established a database of sewage spill reports (from 2002 to the present) that includes such information as the date of report, location, start and end time, reporting party, cause and actions taken. The information is color coded to indicate significant reporting delay, reported to Public Health (Environmental Health), amount of spill, amount contained, whether the spill reached the ocean, and if discharge into ocean was insignificant or required beach closure. This information is currently being posted on the web as a PDF file and Environmental Health staff is updating it on a weekly basis.

The following table identifies the number of sewage discharges and beach closures that were reported to Environmental Health since January 1, 2007:

Reporting month	Number of Sewage Discharge Reports	Number of Beach Closures
January	21	1
February	44	3
March	61	0
April	88	0
May	69	1
June	58	1
July	62	1
August	56	0
September	51	0

A web-based sewage discharge tracking database, which allows Environmental Health staff to seamlessly post updated information on the Environmental Health website was activated on May 1, 2007. This website allows users to query sewage discharges from April 12, 2007 by city, zip code, month, year, and gallons. Historical data prior to April 12, 2007 is archived and viewable. On May 1, 2007, Environmental Health incorporated into their database a system by which a tracking number will be automatically assigned to each discharge report. In response to suggestions from the Public Health Commission at its September 27, 2007 meeting, Environmental Health has also made revisions to the website to make it more user-friendly. *These revisions include uniform time reporting for all incidents and information pop-ups defining each reporting column.*

On August 21, 2007, a letter was mailed to the Governor's Office of Emergency Services (OES) requesting assistance in reconciling records regarding sewage spill reporting in Los Angeles County. OES was provided with a list of sewage spills of 1,000 gallons or more that have been reported to Environmental Health since January 1, 2007.

On September 14, 2007, staff from OES contacted Environmental Health staff in response to the August 21, 2007 letter. Preliminary discussions indicate that sewage spills reported to OES were subsequently referred to agencies other than Environmental Health, such as the Los Angeles County Fire Department Health Hazardous Materials Division. Environmental Health is working closely with OES to resolve this reporting oversight. OES indicated that as of July 1, 2007, all sewage spills reported will be referred to Environmental Health. OES further indicated that they will respond to the August 21, 2007 letter and will supply information necessary to reconcile reports prior to July 1, 2007.

15. **The Board of Supervisors instruct the Department of Beach and Harbors and the Fire Department to submit a reimbursement claim to the Los Angeles County Sanitation Districts for costs incurred in responding to the January 2006 Manhattan Beach sewage spill.**

The Fire Department advised that a claim was submitted to the Los Angeles County Sanitation District the week of February 19, 2007. The Department of Beaches and Harbors advised that a claim was filed on March 5, 2007.

14. **The Board of Supervisors consider requesting the Governor to appoint someone with an expertise in public health to fill the vacant membership position on the Los Angeles Regional Water Board.**

15. **The Board of Supervisors consider seeking an amendment to the Water Code to require that at least one of the Water Board's seven membership categories include someone with a public health background.**

To implement Section 3 of the motion approved by the Board on January 30, 2007, the Executive Officer sent a letter, signed by the Board, with the Auditor-Controller's Report, to Governor Schwarzenegger and the Los Angeles County Legislative Delegation on April 4, 2007, requesting amendments to State law to:

- a. Require that the local health officer be immediately notified in the event of a sewage spill,
- b. Permit civil fines to be imposed on persons who do not immediately make that notification, and
- c. Require at least one Water Board member to have a public health background.

The Board further requested an investigation into whether the problems Los Angeles County experienced in reporting and documenting potentially harmful sewage spills as required by law are also occurring elsewhere in the State.

AB 800 by Assembly Members Lieu, Brownley, and Krekorian, is the County-sponsored bill designed to implement these recommendations. The Chief Administrative Office and the County's legislative advocates have worked closely with the legislators on these issues. A motion by Supervisors Knabe and Yaroslavsky which was adopted by the Board on May 15, 2007, instructed the County's legislative advocate to continue to pursue the addition of a member with public health expertise on the Water Board separately from the County's efforts as the sponsor of AB 800.

On October 10, 2007, AB 800 was signed into law and requires a person, without regard to intent or negligence, who permits or causes the discharge of sewage or waste in or on any waters of the state to notify the appropriate local health officer (LHO) or director of environmental health (DEH) as soon as the person has knowledge of the discharge, and requires the Office of Emergency Services (OES) to immediately notify the appropriate LHO or DEH. The law requires the LHO or the DEH, upon receiving notification of the discharge, to determine whether notification of the public is required to safeguard public health and safety.

16. **The Board of Supervisors instruct the Department of Public Health, in conjunction with the Public Health Commission, the Auditor-Controller, and County Counsel to determine whether new State laws are needed to ensure the protection of public health when sewage spills discharge into dry riverbeds that are near residential communities.**

On April 3, 2007, the Board approved this additional recommendation. Public Health staff have held preliminary discussions with the Public Health Commission to understand the scope of locations which might be covered by such state laws. On June 28, 2007, Environmental Health staff met with County Counsel to discuss this recommendation and to determine whether additional legislation is needed for sewage spills that discharge or have the potential to enter into dry riverbeds.

On August 6, 2007, County Counsel provided its advice that the determination of whether a dry river bed would be considered part of the "waters of the state," will likely be a factual determination based on whether the dry river bed becomes wet with some frequency. However, due to the uncertainty that this case-by-case analysis may entail, the County may wish to consider and implement alternative means of enforcement and notification procedures.

Action Plan Auditor-Controller's Recommendations

No.	RECOMMENDATION	LEAD	ACTION	ISSUES/COMMENTS	TARGET DATES	STATUS
4	The Board of Supervisors instruct the Department of Public Health, in collaboration with interested environmental groups and sewer system owners/operators, the Department of Beaches and Harbors, Fire Department/Lifeguard Division, and Los Angeles Regional Water Quality Control Board, to define the mandatory time frame for reporting a sewage spill to the County's Public Health Officer.	DPH	<p>Environmental Health staff met with Rita Robinson and key staff from the LA City Bureau of Sanitation to discuss spill reporting procedures and implementation concerns.</p> <p>Public Health staff met with all stakeholders to review the Board's motion and action, review the Auditor-Controller's report, review current legislation regarding sewage spill reporting, review actions taken to date in response to the Board's motion and Auditor-Controller's report, and to discuss preparation of a draft response plan to address the Board's motion and Auditor-Controller's recommendation.</p> <p>A letter was mailed to the cities of Pasadena, Vernon, and Long Beach requesting that sewage discharges which take place in their respective jurisdiction and have the potential to enter Los Angeles County Jurisdiction be reported to the Los Angeles County Health Officer.</p>	<p>EH staff shared reporting procedures and exchanged contact information of key personnel to ensure effective communication and actionable information during sewage spill reporting.</p> <p>At this meeting, three subcommittees were formed for the purpose of 1) determining spill reporting timeline requirements, 2) developing a contractor notification/reporting policy, and 3) developing a regional call center.</p>	<p>Subcommittees scheduled to meet within 30 days</p>	<p>Completed Meeting held on 2-14-07</p> <p>Completed Meeting held on 2-23-07</p> <p>Completed Letter mailed on 2-16-07</p>

No.	RECOMMENDATION	LEAD	ACTION	ISSUES/COMMENTS	TARGET DATES	STATUS
			<p>Environmental Health staff is scheduled to meet with ISD staff from the Customer Assistance Division (which includes the emergency operator unit), to discuss the automated notification system and clarify Environmental Health's emergency call list and procedures.</p> <p>Environmental Health staff met with members of all three subcommittees. Environmental Health has prepared reports to memorialize the discussion and findings derived from these meetings. These reports were distributed to all subcommittee members for review and comment.</p> <p>Public Health staff are scheduled to meet with the Long Beach Health Officer to discuss inter-jurisdictional sewage spill notification, a proposal for a regional call center, and pending regulation regarding sewage spills.</p>	<p>Further research analysis is required regarding the Service Center Program and time stamping capabilities.</p> <p>Environmental Health will continue to work with members of the subcommittees, and will provide the subcommittee's responses in the next monthly report.</p> <p>At this meeting, Dr. Fielding and key department staff met with Ronald Arias (City of Long Beach Health and Human Services Director), Darryl Sexton (City of Long Beach Health Officer), Jeff Benedict (City of Long Beach Environmental Health Director), and other Long Beach staff. The departments exchanged information on issues affecting water quality and uniform standards for grading Los Angeles County Beaches. We committed to work together cooperatively</p>	<p>Meeting scheduled for 3-13-07</p> <p>Meeting is scheduled for 3-29-07.</p>	<p>Completed Meeting held on 3-13-07</p> <p>Meetings were held on March 20-21, 2007.</p> <p>Completed Meeting held on 3-29-07.</p>

No.	RECOMMENDATION	LEAD	ACTION	ISSUES/COMMENTS	TARGET DATES	STATUS
			<p>Environmental Health staff is scheduled to meet with ISD Information Technology (IT) staff to discuss the technical/software expansion capabilities of the current audio-data and emergency call system.</p> <p>Environmental Health staff is scheduled to meet with staff from ISD's Information Technology Service and Customer Assistance Division to discuss a proposal to improve tracking of sewage spill using a three-phase approach.</p> <p>Environmental Health and ISD are scheduled to meet with the Public Health Commission to provide an overview and status of the call center.</p>	<p>on all elements of sewage spill reporting and disclosure.</p> <p>This is a follow-up meeting to secure technical information regarding ISD call center expansion capability as well as information in which to draft scope-of-work specifications for RFP contractor operated regional call center.</p> <p>ISD is developing a cost estimate to account for all three phases and a Department Service Order (DSO) as needed.</p> <p>ISD indicated that all sewage spill calls and conversations are being recorded and attached to a sewage spill ticket number using the voice print application.</p>	<p>Meeting is scheduled for 4-4-07.</p> <p>Meeting is scheduled for 5-24-07.</p> <p>Meeting is scheduled for 9-27-07.</p>	<p>Meeting held on 4-4-07.</p> <p>Meeting held on 5-24-07.</p> <p>Meeting held on 9-27-07.</p>

No.	RECOMMENDATION	LEAD	ACTION	ISSUES/COMMENTS	TARGET DATES	STATUS
			<p>ISD is currently finalizing the ServiceCenter tracking system and Environmental Health's web-database.</p> <p>Full implementation of Phase I and II solutions.</p> <p>Full implementation of Phase III solution.</p>	<p>By early November, Environmental Health staff will have access to the ServiceCenter ticket application for the purpose of modifying and updating information contained in the initial sewage spill ticket.</p> <p>Environmental Health is working with ISD to explore the possibility of shortening the implementation timeline.</p>	<p>Early November of 2007.</p> <p>November, 2007</p> <p>ISD indicated that Phase III is expected to deploy in February of 2008, approximately four months ahead of the initial estimated implementation date.</p>	

No.	RECOMMENDATION	LEAD	ACTION	ISSUES/COMMENTS	TARGET DATES	STATUS
6	The Board of Supervisors instruct the Department of Public Health, in consultation with the Public Health Commission, to develop an educational program for owners/operators of sanitary sewer systems, which shall include, but not limited to, clarification on how soon the public health officer must be contacted after a spill and the names and telephone numbers of ally County representatives that should be notified following a sewage spill	DPH	<p>After the three sub-committees make their recommendations, the Department of Public Health, in consultation with the Public Health Commission, will develop educational materials and distribute them to all owners/operators of sanitary sewer systems in the County. The Department will also develop and distribute information explaining how the general public can file a sewage discharge report.</p> <p>Environmental Health will develop a survey letter and distribute it to all contract cities to determine what current practices/policies exists regarding sewage spill reporting for sewer contractors, wastewater treatment plant operators, and collection system personnel.</p> <p>Environmental Health is scheduled to meet with the Public Health Commission to provide an overview of the proposed educational program.</p>	<p>The period for subcommittee comments has elapsed and Environmental Health staff has incorporated comments and recommendations into the survey letter,.</p> <p>Upon review of survey responses, Environmental Health will contact the Public Health Commission to present an outline of the proposed education plan for review and comment.</p> <p>As of 9-28-07, Environmental Health received 34 of 90 surveys that were distributed to various sewer agencies. Staff has begun drafting the brochures based on the information compiled from the survey, and will continue accepting responses throughout development of the educational program.</p>	<p>Meeting is scheduled for 9-28-07</p>	<p>Survey letter mailed to all contract cities and various sewer agencies on 7-6-07</p> <p>Meeting held on 9-28-07.</p>

No.	RECOMMENDATION	LEAD	ACTION	ISSUES/COMMENTS	TARGET DATES	STATUS
			<p>Environmental Health is scheduled to meet with the Commission to provide drafts of the sewage spill brochures.</p> <p>Environmental Health will also develop a poster that will be distributed to various sewer agencies that own/operate sewage pump stations. The intent of the poster is to educate personnel on proper reporting and notification procedures.</p>	<p>Environmental Health will provide the Public Health Commission with a draft of the poster for review and comment.</p>	<p>Meeting is scheduled for 10-11-07</p> <p>Meeting scheduled for 10-25-07</p>	<p>Completed Meeting held on 10-11-07.</p>
9	The Board of Supervisors instruct the Department of Public Health to provide the County Operator with an emergency contact list that contains the names and telephone numbers of at least three employees who will be on-call to receive reports of sewage spills after normal business hours and to ensure that the contact list is always accurate and up-to-date.		<p>The County Operator has been provided in writing with the names and home, cellular and pager numbers for staff responding to weekend and after-hours sewage discharge reports. If a sewage discharge report is received after hours during the work week, the County Operator is instructed to contact everyone on the list provided by Environmental Health until a "live" person is reached. If a sewage discharge report is received on the weekend, Environmental Health has assigned two staff members to be on-call and reachable, via home/cellular phone and pager, to respond as appropriate.</p> <p>The County Operator was provided with a list of seven employees, each with three modes of communication, who can be called to receive after-hour reports.</p> <p>The County Operator was provided with a monthly calendar of the employees who will be on-call to receive reports of sewage spills during weekend hours (Friday at 5:30 pm to Monday at 7:00 am).</p>			<p>Completed. Letter mailed on 2-13-07.</p> <p>Completed. Letter mailed on 2-14-07.</p> <p>Completed. Letter mailed on 3-16-07</p>

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No.	RECOMMENDATION	LEAD	ACTION	ISSUES/COMMENTS	TARGET DATES	STATUS
10	Board of Supervisors instruct the Department of Public Health to instruct the County Operator in writing to report all sewage spills to an employee listed on the emergency contact list and to make repeated telephone calls if necessary until an employee is reached, and to discontinue the practice of leaving messages on voicemail or answering machine systems.		<p>The County Operator has been instructed to report all sewage discharges to Environmental Health regardless of the amount or location of the sewage discharge or the disposition of sewage; report all sewage discharges to Environmental Health received during normal, weekend or after hours; and continue the reporting process until an Environmental Health employee is reached rather than leaving a message.</p> <p>Environmental Health staff is scheduled to meet with ISD staff from the Customer Assistance Division (which includes the emergency operator unit), to discuss the automated notification system and clarify Environmental Health's emergency call list and procedures.</p> <p>Provide the County Operator with the revised list of emergency call responders, along with instructions clarifying Environmental Health's emergency protocol.</p>	<p>Prior to the 2-13-07 memo, the County Operator only reported discharges Environmental Health on the same day that the Operator received initial notification of the spill if the discharges were 1,000 gallons or more. When receiving reports of discharges less than 1,000 gallons, the County Operator would notify Environmental Health the next business day.</p>	3-13-07	<p>Letter mailed on 2-13-07.</p> <p>Meeting held on 3-13-07.</p> <p>Completed. Letter mailed on 3-16-07</p>

No.	RECOMMENDATION	LEAD	ACTION	ISSUES/COMMENTS	TARGET DATES	STATUS
			Provide a memo to the County Operator informing them of the new spill reporting requirements and reminding them of their responsibility to receive all sewage discharge reports 24 hours/day, 7 days a week, which became effective July 1, 2007. Environmental Health will also provide the County Operator with a revised list of emergency call responders along with the weekend/holiday standby schedule for the months of July through December 2007.		6-29-07	Completed. Letter mailed on 6-29-07.
11	The Board of Supervisors instruct the Department of Public Health to develop policies and procedures to centralize reporting and tracking of all sewage spills within the Department's Recreational Health Program.		<p>Provide training to all staff members of the Recreational Health Program to receive sewage discharge reports from the County Operator and responsible agencies.</p> <p>Environmental Health reorganized the Recreational Health Program to form the Pool Inspection Program and the Water Quality Program.</p> <p>Newly assigned Environmental Health staff to the Water Quality Program are currently being trained on procedures for collecting ocean water samples and emergency response in order to increase response capacity</p>	<p>This action will provide specific focus and responsibility to staff assigned to the Water Quality Program in the areas of fresh and ocean water quality monitoring, including implementing actions when water quality standards are not met, such as related to sewage spills and discharges.</p>		<p>Completed. Training provided on 2-1-07.</p> <p>Completed on 3-12-07</p> <p>Initial training on 3-12-07 and ongoing for remaining staff</p>

No.	RECOMMENDATION	LEAD	ACTION	ISSUES/COMMENTS	TARGET DATES	STATUS
			<p>Environmental Health staff assigned to the Water Quality Program were trained on protocols for receiving sewage discharge reports from the County Operator and/or responsible agencies.</p> <p>Environmental Health will develop a Sewage Discharge Incident Report Form that will be utilized by all Environmental Health units that respond to sewage discharge incidents from sources other than those agencies required to report discharges. For example, housing and food inspectors may learn of a sewage discharge from a multi-family housing complex or a restaurant where sewage is going from private property on to the street.</p> <p>A directive was distributed to all Environmental Health Bureau Directors that standardizes the reporting procedures for sewage discharges for all units of Environmental Health. This directive ensures that sewage discharges from any source that may potentially impact state waters, if known to any unit of Environmental Health, will be reported to the Water Quality Program.</p> <p>Environmental Health is scheduled to meet with representatives from the Auditor-Controller's Office to discuss the Board motion and the Auditor-Controller's report, with emphasis on those recommendations in which Public Health is accountable for completing.</p>	<p>This action will enhance Environmental Health's response to sewage discharges that may potentially have impact on ocean waters as discharges not addressed through requisite reporting agencies will be accounted for.</p> <p>At this meeting, Environmental Health will provide an overview on the actions taken to date and direction in which the Department was headed.</p>	7-10-07	<p>Completed Training provided on 3-15-07</p> <p>Completed on 3-16-07</p> <p>Meeting held on 3-29-07.</p> <p>Meeting was held on 7-10-07</p>

No.	RECOMMENDATION	LEAD	ACTION	ISSUES/COMMENTS	TARGET DATES	STATUS
			<p>Provide the Auditor-Controller with copies of letters, meeting minutes, recommendations, monthly reports to the Board, etc. as requested during the 7-10-07 meeting.</p> <p>Provide a memo to the Public Health Commission to address concerns regarding sewage discharges in public streets. The purpose of the memo is to 1) describe the protocols used by Environmental Health staff when responding to sewage discharges that occur at commercial properties and single/multiple family dwelling units and 2) inform the Commission that Environmental Health is in discussion with various sewer agencies regarding protocols for responding to sewage discharges, including procedures for clean-up of sewage on public property.</p>		8-22-07	<p>Completed on 7-13-07</p> <p>Completed memo emailed on 8-22-07.</p>
12	The Board of Supervisors instruct the Department of Public Health to require the Recreational Health Program to immediately begin documenting and tracking of all reports of sewage spills, and providing reference/tracking numbers to persons reporting sewage spills.		<p>Environmental Health established a database of sewage spill reports (from 2002 to present) that includes such information such as the date of report, location, start and end time, reporting party, and cause and actions taken. The information is color coded to indicate significant report delay, reported to Public Health (Environmental Health), amount of spill, amount contained, whether the spill reached the ocean, and if discharge into ocean was insignificant or required beach closure.</p> <p>Environmental Health staff met with staff from Public Health Web Infomatics to establish a web-based sewage tracking database. This database will allow Environmental Health to seamlessly post updated information on the Environmental Health website.</p>	<p>This information is currently being posted on the web as a PDF file and Environmental Health staff is updating it on a weekly basis.</p> <p>The website will allow a user to query sewage spills based on certain parameters.</p>		<p>Updated and posted weekly (on Fridays).</p> <p>Completed Meeting held on 3-1-07.</p>

No.	RECOMMENDATION	LEAD	ACTION	ISSUES/COMMENTS	TARGET	STATUS
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			DATES	
		Environmental Health has begun testing of the new web-based database.	Initial testing has revealed several deficiencies that require resolution before implementation. As a result, a revised version was provided to Environmental Health on 3-28-07 for additional testing.	If the database meets Environmental Health needs, posting of the database on the EH website is expected to be completed by 6-01-07.
		Provide a letter to the Governor's Office of Emergency Services (OES) requesting them to assist Environmental Health in reconciling records regarding sewage spill reporting in Los Angeles County. Provide a list of sewage spills of 1,000 gallons or more that have been reported to Environmental Health since 01-01-07.	On 8-21-07, staff from OES contacted Environmental Health staff in response to the 8-1-07 letter. Preliminary discussions indicated that sewage spills reported to OES were subsequently referred to agencies other than Environmental Health, such as LA County Hazardous Materials Division.	Completed. Web-based database activated on 5-01-07.
		EH is working closely with OES to resolve reporting oversights. OES indicated that as of 7-1-07, all sewage spills reported will be referred to EH	* OES indicated that they will respond to the 8-1-07 letter and will supply information necessary to reconcile reports prior to 7-1-07.	Letter mailed on 8-1-07
				In progress

No.	RECOMMENDATION	LEAD	ACTION	ISSUES/COMMENTS	TARGET DATES	STATUS
13	The Board of Supervisors instruct the Department of Beaches and Harbors and the Fire Department to submit a reimbursement claim to the Los Angeles County Sanitation Districts for costs incurred in responding to the January 2006 Manhattan Beach sewage spill.	Dept. of Fire and Beaches and Harbors	<p>The Fire Department advised that a claim was submitted to the Los Angeles County Sanitation Districts.</p> <p>The Department of Beaches and Harbors advised that a claim was submitted to the Los Angeles County Sanitation Districts.</p>			<p>Completed during the week of 2-29-07.</p> <p>Completed on 3-5-07.</p>
16	The Board of Supervisors instruct the Department of Public Health, in conjunction with the Public Health Commission, the Auditor-Controller, and County Counsel to determine whether new State laws are needed to ensure the protection of public health when sewage spills discharge into dry riverbeds that are near residential communities.		<p>Environmental Health met with County Counsel to discuss this recommendation.</p> <p>County Counsel provided its opinion that dry riverbeds are "waters of the state," if they become wet with some frequency. Because of the uncertainty of the case-by-case analysis, the County may wish to consider and enforce alternative procedures.</p>	<p>Environmental Health will consult with the other departments to determine whether any alternative procedures are necessary.</p>		<p>Completed Meeting was held on 6-28-07</p> <p>County Counsel provided opinion on 8-6-07</p>



COUNTY OF LOS ANGELES

Public Health

JONATHAN E. FIELDING, M.D., M.P.H.
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December 24, 2007

TO: Each Supervisor

FROM: Jonathan E. Fielding, M.D., M.P.H.
Director and Health Officer

SUBJECT: **PROTOCOLS FOR NOTIFICATION OF SEWAGE SPILLS**

On January 30, 2007, the Board approved Supervisor Knabe's motion, as amended by Supervisor Yaroslavsky, concerning the Auditor-Controller's report on failed protocols which delayed notification of the Health Officer of sewer spills. Sections 1 and 2 of the motion contained the following instructions:

1. Direct the Director of Public Health, in close consultation with the Public Health Commission, Auditor-Controller, Chief Administrative Officer and County Counsel to:
 - a. Lead a project to pursue all 15 Auditor-Controller recommendations to conclusion,
 - b. Assume personal accountability for the results,
 - c. Designate a senior manager to serve as day-to-day project manager and advise the Board of his/her selection within one week,
 - d. Work closely and consultatively with affected County Departments and Districts, the Los Angeles Regional Water Quality Control Board, Heal the Bay, Santa Monica Baykeepers, the City of Los Angeles and all other affected constituencies,
 - e. Submit in no more than 60 days and present to the Board as a set item on April 3, 2007, the approach proposed to implement each recommendation along with an action plan and time table to accomplish the specified results,
 - f. Include as part of the project plan the additional task of critiquing the County's public health disaster response plans based on the improvements planned as a result of the Auditor-Controller's report, and
 - g. Provide monthly project status reports to the Board pending the Auditor-Controller's one year follow-up report, and
2. Instruct the County Fire Chief, the Directors of Public Works and Beaches and Harbors, and request the County Sanitation Districts, the Los Angeles Regional Water Quality Control Board, Heal the Bay, Santa Monica Baykeepers, the City of Los Angeles and all other affected constituencies to work with the Director of Public Health and his staff in this effort.

On April 3, 2007, the Board approved a motion by Supervisor Knabe, that the Board, consistent with the Auditor-Controller's recommendation, instruct the Director of Public Health, in conjunction with the Public Health Commission, the Auditor-Controller, County Counsel and affected agencies and constituencies, to determine whether State laws should be amended to further ensure the protection of the public's health when raw sewage is discharged into dry riverbeds and other locations. Action and status reporting on this matter has been integrated with that of the other sewage spill-related recommendations previously approved by the Board.

On February 6, 2007, I sent you a report in which I named the day-to-day project manager and provided you with an update on actions taken as of that date. On March 5, 2007, I provided you with the first monthly status report. On March 30, 2007, I provided the sixty-day report for the Board agenda of April 3, 2007. On May 11, June 15, August 22, 2007, and October 17, 2007, I provided monthly status reports.

This is the seventh monthly status report. Attached are the 16 recommendations of the Auditor-Controller with the current status of each recommendation. Also attached is an action plan and time table to accomplish the specified results for the non-legislative recommendations. The CEO will include updates on the legislative changes as part of its regular legislative status reports to the Board.

On July 10, 2007, Environmental Health staff met with representatives from the Auditor-Controller's Office to discuss the Board motion and the status of the sixteen (16) recommendations of the Auditor-Controller's report. The purpose of the meeting was to provide an overview of the status of each recommendation in preparation of the Auditor-Controller one-year report back to the Board.

Each recommendation was discussed; however, emphasis was placed on those recommendations in which Public Health was accountable for completion. This included recommendation numbers 4, 6, 10, 11, 12 and 16. Environmental Health provided a summary of the actions taken to date and the direction in which the Department was headed. On July 13, 2007, Environmental Health provided the Auditor-Controller with copies of letters, minutes of meetings, recommendations, and monthly reports to the Board, etc., as requested during the meeting of July 10, 2007.

On August 2, 2007, the Auditor-Controller facilitated a meeting between Environmental Health and the Regional Water Quality Control Board in order to discuss common goals for spill reporting. Both parties agreed that appearance before the Public Health Commission is needed in order to gain input from the Commission regarding the proposed education plan for sewer operators.

On August 23, 2007, representatives from Public Health, the Regional Water Quality Control Board, County Counsel, the Chief Executive Office, and the Auditor-Controller's Office met with the Public Health Commission to discuss the status of the recommendations of the Auditor-Controller's report. At this meeting the Commission recommended that Public Health 1) make revisions to the Environmental Health website to make it more user friendly, 2) explore the possibility of shortening the time frame for implementing the sewage spill tracking system, 3) make recommendations on how the Commission can assist in developing the educational program, and 4) delineate more specifically a response to recommendation #16 and report back to the Commission.

On September 27, 2007, Environmental Health and the Internal Services Department (ISD) met with the Public Health Commission to outline the status of the sewage spill reporting system as well as provide an overview of the proposed education plan for owners/operators of sanitary sewer systems. On October 11, 2007, Environmental Health presented drafts of educational brochures for the Commission's review and comment. The Commission was also advised that its suggested website revisions were completed, including the addition of uniform time reporting for all incidents and information pop-ups defining each reporting column.

On October 25, 2007, Environmental Health met with the Public Health Commission to obtain input on the sewage spill education plan. At this meeting, the Commission made several suggestions for proposed changes to the brochures and poster. The changes have been noted and the revised brochures and posters were approved by the Commission during its December 13, 2007 meeting. Environmental Health plans to distribute copies of the revised draft brochures and poster for comment to key stakeholders, including the Los Angeles County Department of Public Works, Los Angeles County Sanitation Districts, City of Los Angeles Bureau of Sanitation, Santa Monica Baykeeper, Heal the Bay, and to each Board office.

On December 10, 2007, ISD informed Environmental Health that Phase I solutions of the sewage spill reporting system have been fully implemented, and elements of Phase II to be deployed by December 15, 2007.

On December 12, 2007 Public Health staff met with representatives from County Counsel and the Auditor-Controller's Office. The purpose of the meeting was to discuss 1) the Auditor-Controller's one-year report back to the board regarding the status of each recommendation and 2) a response to the Commission's October 22, 2007 motion requesting Environmental Health to assure the routine periodic inspection of all potential sources of sewage spills and correction of any hazards discovered in order to prevent sewage spills, including establishing authority and mandated action for such inspections either by the L.A. Regional Water Board or by the Department of Public Health, and that the Department of Public Health report back to the Commission with 60 days.

On December 13, 2007, representatives from Public Health and the Auditor-Controller's Office met with the Public Health Commission to discuss the Auditor-Controller's one-year report back to the Board. The Auditor-Controller provided a status on each recommendation in preparation of the one-year report back to the Board. Additionally, the Commission granted a 30 day extension regarding their October 22, 2007 motion concerning periodic inspections of all potential sources of sewage spills.

I will provide you with the next monthly report by January 18, 2008. In the meantime, if you have any questions or need additional information, please let me know.

JEF:tp
PH:701:010(9)

Attachment

c: Chief Executive Officer
County Counsel
Executive Officer, Board of Supervisors
Auditor-Controller
Director of Internal Services
Public Health Commission

**AUDITOR CONTROLLER'S RECOMMENDATIONS
REGARDING SEWER SPILL NOTIFICATION
STATUS REPORT – December 24, 2007**

1. **The Board of Supervisors consider requesting the Los Angeles Regional Water Quality Control Board to amend the Los Angeles County NPDES permit and WDR to require sewer system owners/operators to:**
 - a. **At a minimum, operate and maintain their sewer system equipment at the level specified by the equipment's manufacturer with additional maintenance performed as necessary to prevent sewage spills from occurring.**
 - b. **Perform regular tests of their pumping station alarm systems, backup pumps, and electrical generators to ensure they will function as intended during an emergency.**
 - c. **Maintain documentation to support all maintenance and testing of their sewer systems.**
2. **The Board of Supervisors consider requesting the Los Angeles Regional Water Quality Control Board to amend the Los Angeles County NPDES permit and WDR to require sewer system owners/operators to convene a work group of key stakeholders to develop specific maintenance standards for owners/operators of sanitary sewer systems in Los Angeles County.**
3. **The Board of Supervisors consider requesting the Los Angeles Regional Water Quality Control Board to amend the Los Angeles County NPDES permit and WDR to require sewer system owners/operators to seek appropriate authority and funding to create and operate an ongoing independent sanitary sewer collection system monitoring program. The program would monitor sanitary sewer owners/operators for compliance with established maintenance standards and would include a written report on the monitoring results.**

To implement Section 4 of the motion approved by the Board on January 30, 2007, the Executive Officer sent a letter to the Los Angeles Water Quality Control Board on April 4, 2007, requesting that they:

- a. **Amend the Los Angeles County National Pollutant Discharge Elimination System Permit and Waste Discharge Requirements to require sewer system owners/operators to implement the Auditor-Controller's recommendations;**
- b. **Convene a work group of key stakeholders to develop specific maintenance standards for owners/operators of sanitary sewer systems in the County; and**
- c. **Seek appropriate authority and funding to create and operate an ongoing independent sanitary sewer collection system monitoring program which would monitor sanitary sewer owners/operators for compliance with established maintenance standards and would include a written report on the monitoring results.**

4. **The Board of Supervisors instruct the Department of Public Health, in collaboration with interested environmental groups and sewer system owners/operators, the Department of Beaches and Harbors, Fire Department/Lifeguard Division, and Los Angeles Regional Water Quality Control Board, to define the mandatory timeframe for reporting a sewage spill to the County's Public Health Officer.**

On February 14, 2007, Environmental Health staff met with Rita Robinson, Director of the City of Los Angeles Bureau of Sanitation and key staff to discuss spill reporting procedures and implementation concerns.

On February 23, 2007, Public Health staff met with representatives of the following stakeholders: City of Los Angeles Sanitation Bureau, Los Angeles County Sanitation Districts California Regional Water Quality Control Board Los Angeles Region (Water Board), City of Long Beach Environmental Health, City of Pasadena Public Health Department, Heal the Bay, Santa Monica Baykeeper, County departments of Auditor-Controller, Beaches and Harbors, County Counsel, Internal Services, Public Works, and representatives of Assemblypersons Julie Brownley and Ted Lieu, and the Third Supervisorial District.

The purpose of the meeting was to review the Board of Supervisors' January 30, 2007 motion and action; review the Auditor-Controller's report on failed protocols which delayed notification of the Health Officer of sewer spills; review current legislation regarding sewage spill reporting; review actions taken to date in response to the Board's motion and Auditor-Controller's report; and to discuss the preparation of a draft response plan to address the Board's motion and Auditor-Controller's recommendations.

At this meeting, three subcommittees were formed for the purpose of determining spill reporting timeline requirements; developing a contractor notification/reporting policy; and developing a regional reporting call center.

A letter was mailed to the cities of Pasadena, Vernon, and Long Beach (cities with local health departments) requesting that sewage discharges which take place in their respective jurisdiction and have the potential to enter Los Angeles County Jurisdiction be reported to the Los Angeles County Health Officer.

On March 13, 2007, Environmental Health staff met with staff from the Internal Services Department (ISD) to discuss and evaluate the existing emergency call system and to clarify Environmental Health's emergency call list and procedures. A revised call list along with instructions was sent to ISD on March 16, 2007.

Meetings with all three subcommittees were held on March 20-21, 2007. Environmental Health has prepared minutes of these meetings which were distributed to all subcommittee members for review and comments. Environmental Health will continue to work with members of the subcommittees. Updates on the work of the subcommittees are included under Recommendation 6 in this report.

On March 29, 2007, Dr. Fielding and key department staff met with Ronald Arias (City of Long Beach Health and Human Services Director), Darryl Sexton (City of Long Beach Health Officer), Jeff Benedict (City of Long Beach Environmental Health Director), and other Long Beach staff to discuss inter-jurisdictional sewage spill notification, a proposal for a regional call center, and pending legislation regarding sewage spills. The departments also exchanged information on issues affecting water quality and uniform standards for grading Los Angeles County beaches, including Long Beach. We committed to work together cooperatively on all elements of sewage spill reporting and disclosure.

Environmental Health staff met with ISD information technology staff on April 4, 2007, to discuss the technical/software expansion capabilities of the current audio-data emergency call system.

On May 24, 2007, Environmental Health met with staff from ISD's Information Technology Service (ITS) and Customer Assistance Division (CAD). The purpose of the meeting was to discuss the need for a reporting system which is completely auditable, (i.e., all calls/conversations are time stamped and recorded). The reporting system will be required to track and record initial reports (i.e., receipt of report to Environmental Health) and any subsequent actions taken by Environmental Health (i.e., referral to other Environmental Health programs or other responsible agencies).

At this meeting, ISD outlined a proposal to improve tracking of sewage spill reports using a three-phase approach.

- Phase I features the ability of ISD's current incident tracking system (HP ServiceCenter) to record all sewage related calls/conversations (voice clips) and attach them to a sewage spill report (e.g., 6-digit ticket number). ISD is currently developing a ServiceCenter data entry form that will allow the County Operator to populate spill information at the time the call is received. Environmental Health will have access to the ServiceCenter ticket application in order to make journal entries and modify/update information contained in the initial sewage spill report.

Using a proposed Voice Print application, the County Operator would manually "tag" all voice clips to the sewage spill ticket number. The sewage spill ticket number will be established by the County Operator at the time the call is received.

The existing emergency phone number (213.974.1234) will allow reporting agencies and members of the general public to report sewage spill incidents or other types of emergencies (e.g. restaurant fires, carbon monoxide incidences, lack of hot/running water in residential units, etc.).

Additionally, a dedicated telephone number will be put in place strictly for Environmental Health staff to update and record spill information. This will bypass the public number (213.974.1234) and will be accessible to Environmental Health staff via numerical password.

In order to ensure that all voice clips remain assigned to a specific sewage spill ticket number, the County Operator will be required to stay on the line during all subsequent follow-up conversations held by Environmental Health. The call center will utilize the ServiceCenter application, which is available 24 hours/7 days a week, in replacement of the Startel system currently used by ISD to receive sewage spills during weekend and after hours.

Phase II, which ISD states they will be able to deploy at the start of November of 2007, will provide software modification and programming that will allow the County Operator to electronically "tag" voice clips to a particular sewage spill ticket with a single click of a button. In addition, ISD will create an interface between the ServiceCenter system and Environmental Health's web-based database so that a "sub-set" of the ServiceCenter ticket number will be "pushed" out to create the initial record on Environmental Health's system. Any updates made to the ServiceCenter ticket, if appropriate, will be sent out to update the incident on Environmental Health's system. This application will not affect the ability of the public to access Environmental Health's web-based data-base to view and query sewage spill reports.

- In Phase III, ISD will replace the existing application with a more advanced communications technology. The new technology will enable the system to **automatically** “tag” the voice recording/clip to the sewage spill ticket. This system will be based on VoIP and Cisco’s IPCC (IP Call Center) technology.

ISD is developing a cost estimate to account for all three phases and a department service order (DSO) as needed.

ISD conducted testing of the VoicePrint application (VPAppend) and training of County operators on how to access the ServiceCenter screen, populate sewage spill ticket information, and enter the correct flagging information for the voice clips using VPAppend.

On September 27, 2007, representatives from Public Health, the Internal Services Department (ISD) and the Auditor-Controller’s Office met with the Public Health Commission to present an overview and status of the sewage spill reporting/tracking system. ISD indicated that all sewage spill calls/conversations are being recorded and attached to a sewage spill ticket number using the voice print application. ISD is currently finalizing the ServiceCenter screen in order to create an interface between the ServiceCenter tracking system and Environmental Health’s web-database. By early November, Environmental Health staff will have access to the ServiceCenter ticket application for the purpose of *modifying and updating information contained in the initial sewage spill ticket.*

On December 10, 2007, ISD informed Environmental Health staff that Phase I solutions have been fully implemented, and elements of Phase II expected to be deployed by December 15, 2007. In keeping with the Public Health Commission’s request that Environmental Health work with ISD to shorten the implementation timeline, Phase III is expected to deploy in February 2008, approximately four months ahead of the initial estimated implementation date.

5. **To make the timeframe determined above an enforceable requirement in Los Angeles County, the Board of Supervisors consider requesting the Los Angeles Regional Water Quality Control Board to amend the Wastewater Discharge Requirements to include a requirement that specifies when the County’s Public Health Officer should be notified of a sewage spill.**

To implement Section 4 of the motion approved by the Board on January 30, 2007, the Executive Officer sent a letter to the California Regional Water Quality Control Board, Los Angeles Region on April 4, 2007, requesting that they:

- a. Amend the Los Angeles County National Pollutant Discharge Elimination System Permit and Waste Discharge Requirements to require sewer system owners/operators to implement the Auditor-Controller’s recommendations;
- b. Convene a work group of key stakeholders to develop specific maintenance standards for owners/operators of sanitary sewer systems in the County; and
- c. Seek appropriate authority and funding to create and operate an ongoing independent sanitary sewer collection system monitoring program which would monitor sanitary sewer owners/operators for compliance with established maintenance standards and would include a written report on the monitoring results.

6. **The Board of Supervisors instruct the Department of Public Health, in consultation with the Public Health Commission, to develop an educational program for owners/operators of sanitary sewer systems, which shall include, but not limited to, clarification on how soon the public health officer must be contacted after a spill and the names and telephone numbers of all County representatives that should be notified following a sewage spill.**

Environmental Health staff received and reviewed comments provided by members of all three subcommittees. After the subcommittees submitted their comments, the Department of Public Health, in consultation with the City of Los Angeles Bureau of Sanitation, Los Angeles County Sanitation Districts, and the Los Angeles County Department of Public Works, developed a survey letter and mailed it on July 6, 2007 to the all contract cities and various sewer agencies. The purpose of the letter and survey is to 1) remind cities *regarding their obligations under the California Health and Safety Code* to report sewage spills in their jurisdiction to this Department, 2) advise all affected parties of the single 24 hour reporting telephone number (currently County Emergency Operator) 3) provide information as available on the proposed new regional call center, and 4) solicit comments as to what current policies/practices exist regarding sewage spill reporting procedures/requirements for sewer contractors, wastewater treatment plant operators and collection system personnel.

The results of this survey will assist staff in developing an educational program for owners/operators of sanitary sewer systems, as well as the development and distribution of information explaining how the general public can file a sewage discharge report. As of October 15, 2007, Environmental Health received 34 of 90 surveys that were distributed to various sewer agencies. Staff has begun drafting the brochures based on the information compiled from the survey, and will continue accepting responses throughout development of the educational plan.

On September 27, 2007, Environmental Health met with the Public Health Commission to provide an overview of the proposed educational program. The primary component of the education plan is to distribute sewage spill brochures to sewer contractors and owners of commercial food establishments and residential dwellings. The brochures will provide information on common causes and prevention methods for sewage discharges, the environmental and public health impact of discharges, and the reporting responsibilities including where/how to report discharges.

Environmental Health will also develop a poster that will be distributed to various sewer agencies that own/operate sewage pump stations. The intent of the poster is to educate wastewater personnel on proper reporting and notification procedures.

On October 11, 2007, Environmental Health met with the Public Health Commission and presented drafts of educational brochures for their review and comment.

On October 25, 2007, Environmental Health met with the Public Health Commission to obtain input on the sewage spill education plan. At this meeting, the Commission made several suggestions for proposed changes to the brochures and poster. The changes have been noted and the revised brochures and posters were approved by the Commission during its December 13, 2007 meeting. Environmental Health plans to distribute copies of the revised draft brochures and poster to key stakeholders, including the Los Angeles County Department of Public Works, Los Angeles County Sanitation Districts, City of Los Angeles Bureau of Sanitation, Santa Monica Baykeeper, Heal the Bay, and to each board office.

7. **The Board of Supervisors consider seeking an amendment to the Water Code to include a requirement that the local public health officer be immediately notified in the event of a sewage spill.**
8. **The Board of Supervisors consider seeking a change in State law to permit civil fines to be imposed on persons who do not immediately notify the local public health officer when a sewage spill occurs.**

AB 800 by Assembly Members Lieu, Brownley, and Krekorian, is the County-sponsored bill designed to implement these recommendations. The Chief Administrative Office and the County's legislative advocates have worked closely with the legislators on these issues. Department staff traveled to Sacramento several times to testify in support of AB 800. On October 10, 2007, AB 800 was signed into law by Governor Schwarzenegger.

9. **Board of Supervisors instruct the Department of Public Health to provide the County operator with an emergency contact list that contains the names and telephone numbers of at least three employees who will be on-call to receive reports of sewage spills after normal business hours and to ensure that the contact list is always accurate and up-to-date.**
10. **Board of Supervisors instruct the Department of Public Health to instruct the County Operator in writing to report all sewage spills to an employee listed on the emergency contact list and to make repeated telephone calls if necessary until an employee is reached, and to discontinue the practice of leaving messages on voicemail or answering machine systems.**

On February 13, 2007, the County Operator was given a written memo, with the names and home, cellular and pager numbers for staff responding to weekend and after hours sewage discharge reports. The County Operator is instructed to contact everyone on the list provided by Environmental Health until a "live" person is reached. A total of seven names have been provided to ensure a timely and appropriate response. If a sewage discharge report is received on the weekend, Environmental Health has assigned two staff members of the seven to be on-call and reachable on a rotating basis, via home/cellular phone and pager, to respond as appropriate.

The County Operator was instructed to:

- Report all sewage discharges to Environmental Health regardless of the amount or location of the sewage discharge or the disposition of sewage.
- Report all sewage discharges to Environmental Health received during normal, weekend, or after hours.
- Continue the reporting process until an Environmental Health employee is reached rather than leave a message.

Prior to receiving the February 13th memo, the County Operator only reported discharges to Environmental Health on the same day that the Operator received initial notification of the spill if the discharges were 1,000 gallons or more. When receiving reports of discharges of less than 1,000 gallons, the County Operator would notify Environmental Health the next business day.

On March 13, 2007, Environmental Health staff met with ISD staff from the Customer Assistance Division (which includes the emergency operator unit), to discuss the automated notification system and clarify Environmental Health's emergency call list and procedures.

On March 16, 2007, the County Operator was given documents that revised the list of emergency call responders along with instructions clarifying Environmental Health's emergency protocol.

On June 29, 2007, a memo was sent to the County Operator informing them of the new sewage spill reporting requirements and reminding them of their responsibility to receive all sewage discharge reports 24 hours/7 days a week, which became effective July 1, 2007. The County Operator was also provided with a revised list of emergency call responders along with the weekend/holiday standby schedule for the months of July through December of 2007.

11. The Board of Supervisors instruct the Department of Public Health to develop policies and procedures to centralize the reporting and tracking of all sewage spills within the Department's Recreational Health Program.

On February 1, 2007, all staff members of the Recreational Health Program were trained on protocols for receiving sewage discharge reports from responsible agencies or the County Operator.

Environmental Health has developed a Sewage Discharge Incident Report Form that will be utilized by all Environmental Health units that respond to sewage discharge incidents from sources other than those agencies required to report discharges. For example, housing or food inspectors may learn of a sewage discharge from a multi-family housing complex or a restaurant where the sewage is going from private property onto the street. In this manner, sewage discharges from any source that may potentially impact waters, if known to any unit of Environmental Health, will be reported to the Water Quality Program. On March 16, 2007, a directive was issued to Environmental Health staff that implements these reporting procedures. These reporting procedures were reinforced during meetings with unit supervisors on March 29.

On March 15, 2007, Environmental Health staff assigned to the Water Quality Program were trained on protocols for receiving sewage discharge reports from the County Operator and/or responsible agencies.

Newly assigned Environmental Health staff to the Water Quality Program are currently being trained on procedures for collecting ocean water samples and emergency response in order to increase response capacity.

On May 3, 2007, staff from the Water Quality Program met with Chiefs from the Housing Inspection Bureau. Water Quality staff clarified the sewage discharge reporting requirements expected of Housing Inspection Bureau staff responding to sewage discharges that may occur in the community. An updated sewage discharge reporting form was distributed.

On August 22, 2007, a memo was sent to the Public Health Commission to address concerns regarding sewage discharges in public streets. The purpose of the memo was to describe the protocols used by Environmental Health staff when responding to sewage discharges that occur at commercial properties and single/multiple family dwellings. The memo also advised the Commission that Environmental Health is in discussions with various sewer agencies and municipalities regarding their protocols for responding to sewage discharges, including procedures for clean-up of sewage on public property.

In November 2007, two additional staff were assigned to the Water Quality Program. Newly assigned staff are currently being trained on procedures for collecting ocean water samples and emergency response in order to increase response capacity.

12. The Board of Supervisors instruct the Department of Public Health to require Recreational Health Program to immediately begin documenting and tracking all reports of sewage spills, and providing reference/tracking numbers to persons reporting sewage spills.

As reported to you in our February 6, 2007 memorandum, Environmental Health established a database of sewage spill reports (from 2002 to the present) that includes such information as the date of report, location, start and end time, reporting party, cause and actions taken. The information is color coded to indicate significant reporting delay, reported to Public Health (Environmental Health), amount of spill, amount contained, whether the spill reached the ocean, and if discharge into ocean was insignificant or required beach closure. This information is currently being posted on the web as a PDF file and Environmental Health staff is updating it on a weekly basis.

The following table identifies the number of sewage discharges and beach closures that were reported to Environmental Health since January 1, 2007:

Reporting month	Number of Sewage Discharge Reports	Number of Beach Closures
January	21	1
February	44	3
March	61	0
April	90	0
May	69	1
June	63	1
July	65	1
August	58	0
September	57	0
October	98	0
November	60	0

A web-based sewage discharge tracking database, which allows Environmental Health staff to seamlessly post updated information on the Environmental Health website was activated on May 1, 2007. This website allows users to query sewage discharges from April 12, 2007 by city, zip code, month, year, and gallons. Historical data prior to April 12, 2007 is archived and viewable. On May 1, 2007, Environmental Health incorporated into their database a system by which a tracking number will be automatically assigned to each discharge report. In response to suggestions from the Public Health Commission at its September 27, 2007 meeting, Environmental Health has also made revisions to the website to make it more user-friendly. These revisions include uniform time reporting for all incidents and information pop-ups defining each reporting column.

On August 21, 2007, a letter was mailed to the Governor's Office of Emergency Services (OES) requesting assistance in reconciling records regarding sewage spill reporting in Los Angeles County. OES was provided with a list of sewage spills of 1,000 gallons or more that have been reported to Environmental Health since January 1, 2007.

On September 14, 2007, staff from OES contacted Environmental Health staff in response to the August 21, 2007 letter. Preliminary discussions indicate that sewage spills reported to OES were subsequently referred to agencies other than Environmental Health, such as the Los Angeles County Fire Department Health Hazardous Materials Division. Environmental Health is working closely with OES to resolve this reporting oversight. OES indicated that as of July 1, 2007, all sewage spills reported will be referred to Environmental Health. OES further indicated that they will respond to the August 21, 2007 letter and will supply information necessary to reconcile reports prior to July 1, 2007.

On October 29, 2007, Environmental Health began receiving via email, Sanitary Sewer Overflow Event Reports (SSO) from the California Regional Water Quality Control Board, Los Angeles Region (Water Board). The Water Board receives the information for the SSO's from the sewage dischargers. The SSO reports from the Water Board were compared with Environmental Health's data base for discharge reports to ensure sewage discharger submitting sewage spill reports to the Water Board had also submitted a sewage spill report to Environmental Health.

The following is a summary of the SSO reports received from the Water Board compared with Environmental Health's database:

Number of SSO Reports Received	Number of discharges that had volume differences	Number of discharges that had address discrepancies	Number of discharges that had date discrepancies	Number of discharges that were not in the database	Number of discharges not within Environmental Health's jurisdiction
49	8	0	0	5	1 (City of Long Beach)

On November 28, 2007, the Los Angeles County Department of Public Works, Sewer Maintenance Division (Public Works) , sent Environmental Health a report of all sewage discharges from January 7, 2007 to November 18, 2007. Environmental Health compared the report received from Public Works against Environmental Health's database.

The following is a summary of the report received from Public Works' sewage discharges compared with Environmental Health's database:

Number of L.A. County DPW discharges	Number of discharges that had volume differences	Number of discharges that had address discrepancies	Number of discharges that had date discrepancies	Number of discharges that were not in the database	Number of discharges not within Environmental Health's jurisdiction
209	25	5	1	52	0

It should be noted that during January, February, and March of 2007, Environmental Health was collaborating with it's partners to streamline and standardize Environmental Health's sewage reporting procedures. By April, 2007, Environmental Health had updated its procedures and a new web-based database activated.

The following is a summary of the report from Public Works' sewage discharges compared with Environmental Health's database from April 16, 2007 to November 18, 2007:

Number of L.A. County DPW discharges	Number of discharges that had volume differences	Number of discharges that had address discrepancies	Number of discharges that had date discrepancies	Number of discharges that were not in the database	Number of discharges not within Environmental Health's jurisdiction
135	20	4	1	11	0

On December 5, 2007, the Los Angeles County Sanitation Districts (San District) sent Environmental Health a report of all their sewage discharges from January 1, 2007 through November 15, 2007. Environmental Health compared the report from the San District against Environmental Health's database.

The following is a summary of the report from the San District sewage discharges compared with Environmental Health's database from January 1 through November 15, 2007:

Number of LACSD discharges	Number of discharges that had volume differences	Number of discharges that had address discrepancies	Number of discharges that had date discrepancies	Number of discharges that were not in the database	Number of discharges not within Environmental Health's jurisdiction
11	4	1	0	1	2 (City of Long Beach)

Environmental Health staff corrected all discrepancies from report received from the Water Board, Public Works and the San District. These discrepancies were minor in nature and would not have made a difference in Environmental Health's response. Additionally, any discharges not in the Environmental Health database were added.

Those discharge events not reported to Environmental Health have been reviewed and letters will be sent to the sewage dischargers reminding them of their obligation to report sewage spills to Environmental Health in addition to their other reporting requirements. The letters will include the failed reporting event, date, and volume of the discharge.

Sewage discharge reports have been requested from the City of Los Angeles Bureau of Sanitation and the Governor's Office of Emergency Services. As of November 30, 2007, these reports have not been received, however Environmental Health has been advised they will be sent shortly. When these reports are received, a similar comparison and cross-check against the Environmental Health database will be conducted.

13. **The Board of Supervisors instruct the Department of Beach and Harbors and the Fire Department to submit a reimbursement claim to the Los Angeles County Sanitation Districts for costs incurred in responding to the January 2006 Manhattan Beach sewage spill.**

The Fire Department advised that a claim was submitted to the Los Angeles County Sanitation District the week of February 19, 2007. The Department of Beaches and Harbors advised that a claim was filed on March 5, 2007.

14. **The Board of Supervisors consider requesting the Governor to appoint someone with an expertise in public health to fill the vacant membership position on the Los Angeles Regional Water Board.**
15. **The Board of Supervisors consider seeking an amendment to the Water Code to require that at least one of the Water Board's seven membership categories include someone with a public health background.**

To implement Section 3 of the motion approved by the Board on January 30, 2007, the Executive Officer sent a letter, signed by the Board, with the Auditor-Controller's Report, to Governor Schwarzenegger and the Los Angeles County Legislative Delegation on April 4, 2007, requesting amendments to State law to:

- a. Require that the local health officer be immediately notified in the event of a sewage spill,
- b. Permit civil fines to be imposed on persons who do not immediately make that notification, and
- c. Require at least one Water Board member to have a public health background.

The Board further requested an investigation into whether the problems Los Angeles County experienced in reporting and documenting potentially harmful sewage spills as required by law are also occurring elsewhere in the State.

AB 800 by Assembly Members Lieu, Brownley, and Krekorian, is the County-sponsored bill designed to implement these recommendations. The Chief Administrative Office and the County's legislative advocates have worked closely with the legislators on these issues. A motion by Supervisors Knabe and Yaroslavsky which was adopted by the Board on May 15, 2007, instructed the County's legislative advocate to continue to pursue the addition of a member with public health expertise on the Water Board separately from the County's efforts as the sponsor of AB 800.

On October 10, 2007, AB 800 was signed into law and requires a person, without regard to intent or negligence, who permits or causes the discharge of sewage or waste in or on any waters of the state to notify the appropriate local health officer (LHO) or director of environmental health (DEH) as soon as the person has knowledge of the discharge, and requires the Office of Emergency Services (OES) to immediately notify the appropriate LHO or DEH. The law requires the LHO or the DEH, upon receiving notification of the discharge, to determine whether notification of the public is required to safeguard public health and safety.

- 16. The Board of Supervisors instruct the Department of Public Health, in conjunction with the Public Health Commission, the Auditor-Controller, and County Counsel to determine whether new State laws are needed to ensure the protection of public health when sewage spills discharge into dry riverbeds that are near residential communities.**

On April 3, 2007, the Board approved this additional recommendation. Public Health staff have held preliminary discussions with the Public Health Commission to understand the scope of locations which might be covered by such state laws. On June 28, 2007, Environmental Health staff met with County Counsel to discuss this recommendation and to determine whether additional legislation is needed for sewage spills that discharge or have the potential to enter into dry riverbeds.

On August 6, 2007, County Counsel provided its advice that the determination of whether a dry river bed would be considered part of the "waters of the state," will likely be a factual determination based on whether the dry river bed becomes wet with some frequency. However, due to the uncertainty that this case-by-case analysis may entail, the County may wish to consider and implement alternative means of enforcement and notification procedures.

Action Plan Auditor-Controller's Recommendations

No.	RECOMMENDATION	LEAD	ACTION	ISSUES/COMMENTS	TARGET DATES	STATUS
4	The Board of Supervisors instruct the Department of Public Health, in collaboration with interested environmental groups and sewer system owners/operators, the Department of Beaches and Harbors, Fire Department/Lifeguard Division, and California Regional Water Quality Control Board Los Angeles Region, to define the mandatory time frame for reporting a sewage spill to the County's Public Health Officer.	DPH	<p>Environmental Health staff met with Rita Robinson and key staff from the LA City Bureau of Sanitation to discuss spill reporting procedures and implementation concerns.</p> <p>Public Health staff met with all stakeholders to review the Board's motion and action, review the Auditor-Controller's report, review current legislation regarding sewage spill reporting, review actions taken to date in response to the Board's motion and Auditor-Controller's report, and to discuss preparation of a draft response plan to address the Board's motion and Auditor-Controller's recommendation.</p> <p>A letter was mailed to the cities of Pasadena, Vernon, and Long Beach requesting that sewage discharges which take place in their respective jurisdiction and have the potential to enter Los Angeles County Jurisdiction be reported to the Los Angeles County Health Officer.</p>	<p>EH staff shared reporting procedures and exchanged contact information of key personnel to ensure effective communication and actionable information during sewage spill reporting.</p> <p>At this meeting, three subcommittees were formed for the purpose of 1) determining spill reporting timeline requirements, 2) developing a contractor notification/reporting policy, and 3) developing a regional call center.</p>	<p>Subcommittees scheduled to meet within 30 days</p>	<p>Completed Meeting held on 2-14-07</p> <p>Completed Meeting held on 2-23-07</p> <p>Completed Letter mailed on 2-16-07</p>

No.	RECOMMENDATION	LEAD	ACTION	ISSUES/COMMENTS	TARGET DATES	STATUS
			<p>Environmental Health staff is scheduled to meet with ISD staff from the Customer Assistance Division (which includes the emergency operator unit), to discuss the automated notification system and clarify Environmental Health's emergency call list and procedures.</p> <p>Environmental Health staff met with members of all three subcommittees. Environmental Health has prepared reports to memorialize the discussion and findings derived from these meetings. These reports were distributed to all subcommittee members for review and comment.</p> <p>Public Health staff are scheduled to meet with the Long Beach Health Officer to discuss inter-jurisdictional sewage spill notification, a proposal for a regional call center, and pending regulation regarding sewage spills.</p>	<p>Further research analysis is required regarding the Service Center Program and time stamping capabilities.</p> <p>Environmental Health will continue to work with members of the subcommittees, and will provide the subcommittee's responses in the next monthly report.</p> <p>At this meeting, Dr. Fielding and key department staff met with Ronald Arias (City of Long Beach Health and Human Services Director), Darryl Sexton (City of Long Beach Health Officer), Jeff Benedict (City of Long Beach Environmental Health Director), and other Long Beach staff. The departments exchanged information on issues affecting water quality and uniform standards for grading Los Angeles County Beaches. We committed to work together cooperatively</p>	<p>Meeting scheduled for 3-13-07</p> <p>Meeting is scheduled for 3-29-07.</p>	<p>Completed Meeting held on 3-13-07</p> <p>Meetings were held on March 20-21, 2007.</p> <p>Completed Meeting held on 3-29-07.</p>

No.	RECOMMENDATION	LEAD	ACTION	ISSUES/COMMENTS	TARGET DATES	STATUS
			<p>Environmental Health staff is scheduled to meet with ISD Information Technology (IT) staff to discuss the technical/software expansion capabilities of the current audio-data and emergency call system.</p> <p>Environmental Health staff is scheduled to meet with staff from ISD's Information Technology Service and Customer Assistance Division to discuss a proposal to improve tracking of sewage spill using a three-phase approach.</p> <p>Environmental Health and ISD are scheduled to meet with the Public Health Commission to provide an overview and status of the call center.</p>	<p>on all elements of sewage spill reporting and disclosure.</p> <p>This is a follow-up meeting to secure technical information regarding ISD call center expansion capability as well as information in which to draft scope-of-work specifications for RFP contractor operated regional call center.</p> <p>ISD is developing a cost estimate to account for all three phases and a Department Service Order (DSO) as needed.</p> <p>ISD indicated that all sewage spill calls and conversations are being recorded and attached to a sewage spill ticket number using the voice print application.</p>	<p>Meeting is scheduled for 4-4-07.</p> <p>Meeting is scheduled for 5-24-07.</p> <p>Meeting is scheduled for 9-27-07.</p>	<p>Meeting held on 4-4-07.</p> <p>Meeting held on 5-24-07.</p> <p>Meeting held on 9-27-07.</p>

No.	RECOMMENDATION	LEAD	ACTION	ISSUES/COMMENTS	TARGET DATES	STATUS
			ISD is currently finalizing the ServiceCenter tracking system and Environmental Health's web-database.	By early November, Environmental Health staff will have access to the ServiceCenter ticket application for the purpose of modifying and updating information contained in the initial sewage spill ticket.	Early November of 2007.	
			Full implementation of Phase I.		November 2007	Completed 12-13-07.
			Full implementation of Phase II.		December 15, 2007	In progress
			Full implementation of Phase III solution.	Environmental Health is working with ISD to explore the possibility of shortening the implementation timeline.	ISD indicated that Phase III is expected to deploy in February of 2008, approximately four months ahead of the initial estimated implementation date.	

No.	RECOMMENDATION	LEAD	ACTION	ISSUES/COMMENTS	TARGET DATES	STATUS
6	The Board of Supervisors instruct the Department of Public Health, in consultation with the Public Health Commission, to develop an educational program for owners/operators of sanitary sewer systems, which shall include, but not limited to, clarification on how soon the public health officer must be contacted after a spill and the names and telephone numbers of ally County representatives that should be notified following a sewage spill	DPH	<p>After the three sub-committees make their recommendations, the Department of Public Health, in consultation with the Public Health Commission, will develop educational materials and distribute them to all owners/operators of sanitary sewer systems in the County. The Department will also develop and distribute information explaining how the general public can file a sewage discharge report.</p> <p>Environmental Health will develop a survey letter and distribute it to all contract cities to determine what current practices/policies exists regarding sewage spill reporting for sewer contractors, wastewater treatment plant operators, and collection system personnel.</p> <p>Environmental Health is scheduled to meet with the Public Health Commission to provide an overview of the proposed educational program.</p>	<p>The period for subcommittee comments has elapsed and Environmental Health staff has incorporated comments and recommendations into the survey letter.</p> <p>Upon review of survey responses, Environmental Health will contact the Public Health Commission to present an outline of the proposed education plan for review and comment.</p> <p>As of 9-28-07, Environmental Health received 34 of 90 surveys that were distributed to various sewer agencies. Staff has begun drafting the brochures based on the information compiled from the survey, and will continue accepting responses throughout development of the educational program.</p>	<p>Meeting is scheduled for 9-28-07</p>	<p>Survey letter mailed to all contract cities and various sewer agencies on 7-6-07</p> <p>Meeting held on 9-28-07.</p>

No.	RECOMMENDATION	LEAD	ACTION	ISSUES/COMMENTS	TARGET DATES	STATUS
			Environmental Health is scheduled to meet with the Commission to provide drafts of the sewage spill brochures.		Meeting is scheduled for 10-11-07	Completed Meeting held on 10-11-07.
			Environmental Health will also develop a poster that will be distributed to various sewer agencies that own/operate sewage pump stations. The intent of the poster is to educate personnel on proper reporting and notification procedures.	Environmental Health will provide the Public Health Commission with a draft of the poster for review and comment.	Meeting scheduled for 10-25-07	Completed. Meeting held on 10-25-07.
			Environmental Health is scheduled to meet with the Commission to review the Commissions suggested changes to the brochures and poster.	Revised brochures and poster were approved by the Commission.	Meeting scheduled for 12-13-07	Completed. Meeting held on 12-13-07.
9	The Board of Supervisors instruct the Department of Public Health to provide the County Operator with an emergency contact list that contains the names and telephone numbers of at least three employees who will be on-call to receive reports of sewage spills after normal business hours and to ensure that the contact list is always accurate and up-to-date.		<p>The County Operator has been provided in writing with the names and home, cellular and pager numbers for staff responding to weekend and after-hours sewage discharge reports. If a sewage discharge report is received after hours during the work week, the County Operator is instructed to contact everyone on the list provided by Environmental Health until a "live" person is reached. If a sewage discharge report is received on the weekend, Environmental Health has assigned two staff members to be on-call and reachable, via home/cellular phone and pager, to respond as appropriate.</p> <p>The County Operator was provided with a list of seven employees, each with three modes of communication, who can be called to receive after-hour reports.</p>			<p>Completed. Letter mailed on 2-13-07.</p> <p>Completed. Letter mailed on 2-14-07.</p>

No.	RECOMMENDATION	LEAD	ACTION	ISSUES/COMMENTS	TARGET DATES	STATUS
10	Board of Supervisors instruct the Department of Public Health to instruct the County Operator in writing to report all sewage spills to an employee listed on the emergency contact list and to make repeated telephone calls if necessary until an employee is reached, and to discontinue the practice of leaving messages on voicemail or answering machine systems.		<p>The County Operator was provided with a monthly calendar of the employees who will be on-call to receive reports of sewage spills during weekend hours (Friday at 5:30 pm to Monday at 7:00 am).</p> <p>The County Operator has been instructed to report all sewage discharges to Environmental Health regardless of the amount or location of the sewage discharge or the disposition of sewage; report all sewage discharges to Environmental Health received during normal, weekend or after hours; and continue the reporting process until an Environmental Health employee is reached rather than leaving a message.</p> <p>Environmental Health staff is scheduled to meet with ISD staff from the Customer Assistance Division (which includes the emergency operator unit), to discuss the automated notification system and clarify Environmental Health's emergency call list and procedures.</p> <p>Provide the County Operator with the revised list of emergency call responders, along with instructions clarifying Environmental Health's emergency protocol.</p>	<p>Prior to the 2-13-07 memo, the County Operator only reported discharges Environmental Health on the same day that the Operator received initial notification of the spill if the discharges were 1,000 gallons or more. When receiving reports of discharges less than 1,000 gallons, the County Operator would notify Environmental Health the next business day.</p>	<p>3-13-07</p>	<p>Completed. Letter mailed on 3-16-07</p> <p>Letter mailed on 2-13-07.</p> <p>Meeting held on 3-13-07.</p> <p>Completed. Letter mailed on 3-16-07</p>

No.	RECOMMENDATION	LEAD	ACTION	ISSUES/COMMENTS	TARGET DATES	STATUS
			Provide a memo to the County Operator informing them of the new spill reporting requirements and reminding them of their responsibility to receive all sewage discharge reports 24 hours/day, 7 days a week, which became effective July 1, 2007. Environmental Health will also provide the County Operator with a revised list of emergency call responders along with the weekend/holiday standby schedule for the months of July through December 2007.		6-29-07	Completed. Letter mailed on 6-29-07.
11	The Board of Supervisors instruct the Department of Public Health to develop policies and procedures to centralize reporting and tracking of all sewage spills within the Department's Recreational Health Program.		<p>Provide training to all staff members of the Recreational Health Program to receive sewage discharge reports from the County Operator and responsible agencies.</p> <p>Environmental Health reorganized the Recreational Health Program to form the Pool Inspection Program and the Water Quality Program.</p> <p>Newly assigned Environmental Health staff to the Water Quality Program are currently being trained on procedures for collecting ocean water samples and emergency response in order to increase response capacity</p>	<p>This action will provide specific focus and responsibility to staff assigned to the Water Quality Program in the areas of fresh and ocean water quality monitoring, including implementing actions when water quality standards are not met, such as related to sewage spills and discharges.</p>		<p>Completed. Training provided on 2-1-07.</p> <p>Completed on 3-12-07</p> <p>Initial training on 3-12-07 and ongoing for remaining staff.</p>

No.	RECOMMENDATION	LEAD	ACTION	ISSUES/COMMENTS	TARGET DATES	STATUS
			<p>Environmental Health staff assigned to the Water Quality Program were trained on protocols for receiving sewage discharge reports from the County Operator and/or responsible agencies.</p> <p>Environmental Health will develop a Sewage Discharge Incident Report Form that will be utilized by all Environmental Health units that respond to sewage discharge incidents from sources other than those agencies required to report discharges. For example, housing and food inspectors may learn of a sewage discharge from a multi-family housing complex or a restaurant where sewage is going from private property on to the street.</p> <p>A directive was distributed to all Environmental Health Bureau Directors that standardizes the reporting procedures for sewage discharges for all units of Environmental Health. This directive ensures that sewage discharges from any source that may potentially impact state waters, if known to any unit of Environmental Health, will be reported to the Water Quality Program.</p> <p>Environmental Health is scheduled to meet with representatives from the Auditor-Controller's Office to discuss the Board motion and the Auditor-Controller's report, with emphasis on those recommendations in which Public Health is accountable for completing.</p>	<p>This action will enhance Environmental Health's response to sewage discharges that may potentially have impact on ocean waters as discharges not addressed through requisite reporting agencies will be accounted for.</p> <p>At this meeting, Environmental Health will provide an overview on the actions taken to date and direction in which the Department was headed.</p>	7-10-07	<p>Completed Training provided on 3-15-07</p> <p>Completed on 3-16-07</p> <p>Meeting held on 3-29-07.</p> <p>Meeting was held on 7-10-07</p>

No.	RECOMMENDATION	LEAD	ACTION	ISSUES/COMMENTS	TARGET DATES	STATUS
			<p>Provide the Auditor-Controller with copies of letters, meeting minutes, recommendations, monthly reports to the Board, etc. as requested during the 7-10-07 meeting.</p> <p>Provide a memo to the Public Health Commission to address concerns regarding sewage discharges in public streets. The purpose of the memo is to 1) describe the protocols used by Environmental Health staff when responding to sewage discharges that occur at commercial properties and single/multiple family dwelling units and 2) inform the Commission that Environmental Health is in discussion with various sewer agencies regarding protocols for responding to sewage discharges, including procedures for clean-up of sewage on public property.</p>		8-22-07	<p>Completed on 7-13-07</p> <p>Completed memo emailed on 8-22-07.</p>
12	The Board of Supervisors instruct the Department of Public Health to require the Recreational Health Program to immediately begin documenting and tracking of all reports of sewage spills, and providing reference/tracking numbers to persons reporting sewage spills.		<p>Environmental Health established a database of sewage spill reports (from 2002 to present) that includes such information such as the date of report, location, start and end time, reporting party, and cause and actions taken. The information is color coded to indicate significant report delay, reported to Public Health (Environmental Health), amount of spill, amount contained, whether the spill reached the ocean, and if discharge into ocean was insignificant or required beach closure.</p> <p>Environmental Health staff met with staff from Public Health Web Infomatics to establish a web-based sewage tracking database. This database will allow Environmental Health to seamlessly post updated information on the Environmental Health website.</p>	<p>This information is currently being posted on the web as a PDF file and Environmental Health staff is updating it on a weekly basis.</p> <p>The website will allow a user to query sewage spills based on certain parameters.</p>		<p>Updated and posted weekly (on Fridays).</p> <p>Completed Meeting held on 3-1-07.</p>

No.	RECOMMENDATION	LEAD	ACTION	ISSUES/COMMENTS	TARGET DATES	STATUS
			Environmental Health has begun testing of the new web-based database.	Initial testing has revealed several deficiencies that require resolution before implementation. As a result, a revised version was provided to Environmental Health on 3-28-07 for additional testing.	If the database meets Environmental Health needs, posting of the database on the EH website is expected to be completed by 6-01-07.	Completed. Web-based database activated on 5-01-07.
			Provide a letter to the Governor's Office of Emergency Services (OES) requesting them to assist Environmental Health in reconciling records regarding sewage spill reporting in Los Angeles County. Provide a list of sewage spills of 1,000 gallons or more that have been reported to Environmental Health since 01-01-07.	On 8-21-07, staff from OES contacted Environmental Health staff in response to the 8-1-07 letter. Preliminary discussions indicated that sewage spills reported to OES were subsequently referred to agencies other than Environmental Health, such as LA County Hazardous Materials Division.	8-21-07	Letter mailed on 8-1-07
			EH is working closely with OES to resolve reporting oversights. OES indicated that as of 7-1-07, all sewage spills reported will be referred to EH	* OES indicated that they will respond to the 8-1-07 letter and will supply information necessary to reconcile reports prior to 7-1-07.		In progress

No.	RECOMMENDATION	LEAD	ACTION	ISSUES/COMMENTS	TARGET DATES	STATUS
13	The Board of Supervisors instruct the Department of Beaches and Harbors and the Fire Department to submit a reimbursement claim to the Los Angeles County Sanitation Districts for costs incurred in responding to the January 2006 Manhattan Beach sewage spill.	Dept. of Fire and Beaches and Harbors	EH has requested sewage discharge reports from City of Los Angeles Bureau of Sanitation, Los Angeles County Department of Public Works, and Los Angeles County Sanitation Districts. The purpose of these reports is to reconcile EH's records with those of the main agencies that transport and treat sewage.	EH has received reports from Los Angeles County Public Works and the Los Angeles County Sanitation Districts. EH has not received reports from L.A. City, but expect to shortly.		In progress.
			EH has requested and has started receiving Sanitary Sewer Overflow (SSO) reports from the California Regional Water Quality Control Board, Los Angeles Region. EH is using these reports to reconcile their records.	Reports are received via email		Completed. Ongoing.
			The Fire Department advised that a claim was submitted to the Los Angeles County Sanitation Districts.			Completed during the week of 2-29-07.
			The Department of Beaches and Harbors advised that a claim was submitted to the Los Angeles County Sanitation Districts.			Completed on 3-5-07.
16	The Board of Supervisors instruct the Department of Public Health, in conjunction with the Public Health Commission, the Auditor-Controller, and County Counsel to determine whether new State laws are needed to ensure the protection of public health when sewage spills discharge into dry riverbeds that are near residential communities.		Environmental Health met with County Counsel to discuss this recommendation.			Completed Meeting was held on 6-28-07
			County Counsel provided its opinion that dry riverbeds are "waters of the state," if they become wet with some frequency. Because of the uncertainty of the case-by-case analysis, the County may wish to consider and enforce alternative procedures.	Environmental Health will consult with the other departments to determine whether any alternative procedures are necessary.		County Counsel provided opinion on 8-6-07



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February 11, 2008

TO: Each Supervisor

FROM: Jonathan E. Fielding, M.D., M.P.H. *Jonathan E. Fielding*
Director and Health Officer

SUBJECT: **PROTOCOLS FOR NOTIFICATION OF SEWAGE SPILLS**

On January 30, 2007, the Board approved Supervisor Knabe's motion, as amended by Supervisor Yaroslavsky, concerning the Auditor-Controller's report on failed protocols which delayed notification of the Health Officer of sewer spills. Sections 1 and 2 of the motion contained the following instructions:

1. Direct the Director of Public Health, in close consultation with the Public Health Commission, Auditor-Controller, Chief Administrative Officer and County Counsel to:
 - a. Lead a project to pursue all 15 Auditor-Controller recommendations to conclusion,
 - b. Assume personal accountability for the results,
 - c. Designate a senior manager to serve as day-to-day project manager and advise the Board of his/her selection within one week,
 - d. Work closely and consultatively with affected County Departments and Districts, the Los Angeles Regional Water Quality Control Board, Heal the Bay, Santa Monica Baykeepers, the City of Los Angeles and all other affected constituencies,
 - e. Submit in no more than 60 days and present to the Board as a set item on April 3, 2007, the approach proposed to implement each recommendation along with an action plan and time table to accomplish the specified results,
 - f. Include as part of the project plan the additional task of critiquing the County's public health disaster response plans based on the improvements planned as a result of the Auditor-Controller's report, and
 - g. Provide monthly project status reports to the Board pending the Auditor-Controller's one year follow-up report, and
2. Instruct the County Fire Chief, the Directors of Public Works and Beaches and Harbors, and request the County Sanitation Districts, the Los Angeles Regional Water Quality Control Board, Heal the Bay, Santa Monica Baykeepers, the City of Los Angeles and all other affected constituencies to work with the Director of Public Health and his staff in this effort.

On April 3, 2007, the Board approved a motion by Supervisor Knabe, that the Board, consistent with the Auditor-Controller's recommendation, instruct the Director of Public Health, in conjunction with the Public Health Commission, the Auditor-Controller, County Counsel and affected agencies and constituencies, to determine whether State laws should be amended to further ensure the protection of the public's health when raw sewage is discharged into dry riverbeds and other locations. Action and status reporting on this matter has been integrated with that of the other sewage spill-related recommendations previously approved by the Board.

On July 10, 2007, Environmental Health staff met with representatives from the Auditor-Controller's Office to discuss the Board motion and the status of the sixteen (16) recommendations of the Auditor-Controller's report. Each recommendation was discussed; however, emphasis was placed on those recommendations in which Public Health was accountable for completion. This included recommendation numbers 4, 6, 10, 11, 12 and 16. Environmental Health provided a summary of the actions taken to date and the direction in which the Department was headed.

On February 6, 2007, I sent you a report in which I named the day-to-day project manager and provided you with an update on actions taken as of that date. On March 5, March 30, May 11, June 15, August 22, October 17 and December 24, 2007, I provided status reports.

This is the eighth status report. Attached are the 16 recommendations of the Auditor-Controller with the current status of each recommendation. Also attached is an action plan and time table to accomplish the specified results for the non-legislative recommendations. The CEO will include updates on the legislative changes as part of its regular legislative status reports to the Board.

This is the last monthly report on this subject, as the Auditor-Controller's one year follow-up report is expected before the end of the month. Future reports will be provided as needed. In the meantime, if you have any questions or need additional information, please let me know.

JEF:tp
PH:701:010(10)

Attachment

c: Chief Executive Officer
County Counsel
Executive Officer, Board of Supervisors
Auditor-Controller
Director of Internal Services
Public Health Commission

**AUDITOR CONTROLLER'S RECOMMENDATIONS
REGARDING SEWER SPILL NOTIFICATION
STATUS REPORT – February 11, 2008**

1. **The Board of Supervisors consider requesting the Los Angeles Regional Water Quality Control Board to amend the Los Angeles County NPDES permit and WDR to require sewer system owners/operators to:**
 - a. **At a minimum, operate and maintain their sewer system equipment at the level specified by the equipment's manufacturer with additional maintenance performed as necessary to prevent sewage spills from occurring.**
 - b. **Perform regular tests of their pumping station alarm systems, backup pumps, and electrical generators to ensure they will function as intended during an emergency.**
 - c. **Maintain documentation to support all maintenance and testing of their sewer systems.**
2. **The Board of Supervisors consider requesting the Los Angeles Regional Water Quality Control Board to amend the Los Angeles County NPDES permit and WDR to require sewer system owners/operators to convene a work group of key stakeholders to develop specific maintenance standards for owners/operators of sanitary sewer systems in Los Angeles County.**
3. **The Board of Supervisors consider requesting the Los Angeles Regional Water Quality Control Board to amend the Los Angeles County NPDES permit and WDR to require sewer system owners/operators to seek appropriate authority and funding to create and operate an ongoing independent sanitary sewer collection system monitoring program. The program would monitor sanitary sewer owners/operators for compliance with established maintenance standards and would include a written report on the monitoring results.**

To implement Section 4 of the motion approved by the Board on January 30, 2007, the Executive Officer sent a letter to the Los Angeles Water Quality Control Board on April 4, 2007, requesting that they:

- a. **Amend the Los Angeles County National Pollutant Discharge Elimination System Permit and Waste Discharge Requirements to require sewer system owners/operators to implement the Auditor-Controller's recommendations;**
- b. **Convene a work group of key stakeholders to develop specific maintenance standards for owners/operators of sanitary sewer systems in the County; and**
- c. **Seek appropriate authority and funding to create and operate an ongoing independent sanitary sewer collection system monitoring program which would monitor sanitary sewer owners/operators for compliance with established maintenance standards and would include a written report on the monitoring results.**

4. **The Board of Supervisors instruct the Department of Public Health, in collaboration with interested environmental groups and sewer system owners/operators, the Department of Beaches and Harbors, Fire Department/Lifeguard Division, and Los Angeles Regional Water Quality Control Board, to define the mandatory timeframe for reporting a sewage spill to the County's Public Health Officer.**

On February 14, 2007, Environmental Health staff met with Rita Robinson, Director of the City of Los Angeles Bureau of Sanitation and key staff to discuss spill reporting procedures and implementation concerns.

On February 23, 2007, Public Health staff met with representatives of the following stakeholders: City of Los Angeles Sanitation Bureau, Los Angeles County Sanitation Districts California Regional Water Quality Control Board Los Angeles Region (Water Board), City of Long Beach Environmental Health, City of Pasadena Public Health Department, Heal the Bay, Santa Monica Baykeeper, County departments of Auditor-Controller, Beaches and Harbors, County Counsel, Internal Services, Public Works, and representatives of Assemblypersons Julie Brownley and Ted Lieu, and the Third Supervisorial District.

The purpose of the meeting was to review the Board of Supervisors' January 30, 2007 motion and action; review the Auditor-Controller's report on failed protocols which delayed notification of the Health Officer of sewer spills; review current legislation regarding sewage spill reporting; review actions taken to date in response to the Board's motion and Auditor-Controller's report; and to discuss the preparation of a draft response plan to address the Board's motion and Auditor-Controller's recommendations.

At this meeting, three subcommittees were formed for the purpose of determining spill reporting timeline requirements; developing a contractor notification/reporting policy; and developing a regional reporting call center.

A letter was mailed to the cities of Pasadena, Vernon, and Long Beach (cities with local health departments) requesting that sewage discharges which take place in their respective jurisdictions and have the potential to enter Los Angeles County's Jurisdiction be reported to the Los Angeles County Health Officer.

On March 13, 2007, Environmental Health staff met with staff from the Internal Services Department (ISD) to discuss and evaluate the existing emergency call system and to clarify Environmental Health's emergency call list and procedures. A revised call list along with instructions was sent to ISD on March 16, 2007.

Meetings with all three subcommittees were held on March 20-21, 2007. Environmental Health has prepared minutes of these meetings which were distributed to all subcommittee members for review and comments. Environmental Health will continue to work with members of the subcommittees. Updates on the work of the subcommittees are included under Recommendation 6 in this report.

On March 29, 2007, Dr. Fielding and key department staff met with Ronald Arias (City of Long Beach Health and Human Services Director), Darryl Sexton (City of Long Beach Health Officer), Jeff Benedict (City of Long Beach Environmental Health Director), and other Long Beach staff to discuss inter-jurisdictional sewage spill notification, a proposal for a regional call center, and pending legislation regarding sewage spills. The departments also exchanged information on issues affecting water quality and uniform standards for grading Los Angeles County beaches, including Long Beach. We committed to work together cooperatively on all elements of sewage spill reporting and disclosure.

Environmental Health staff met with ISD information technology staff on April 4, 2007, to discuss the technical/software expansion capabilities of the current audio-data emergency call system.

On May 24, 2007, Environmental Health met with staff from ISD's Information Technology Service (ITS) and Customer Assistance Division (CAD) to discuss the need for a reporting system which is completely auditable, (i.e., all calls/conversations are time stamped and recorded). The reporting system will be required to track and record initial reports (i.e., receipt of report to Environmental Health) and any subsequent actions taken by Environmental Health (i.e., referral to other Environmental Health programs or other responsible agencies).

At this meeting, ISD outlined a proposal to improve tracking of sewage spill reports using a three-phase approach.

- Phase I features the ability of ISD's current incident tracking system (HP Service Center) to record all sewage related calls/conversations (voice clips) and attach them to a sewage spill report (e.g., 6-digit ticket number). ISD is currently developing a Service Center data entry form that will allow the County Operator to populate spill information at the time the call is received. Environmental Health will have access to the Service Center ticket application in order to make journal entries and modify/update information contained in the initial sewage spill report.

Using a proposed Voice Print application, the County Operator would manually "tag" all voice clips to the sewage spill ticket number. The sewage spill ticket number will be established by the County Operator at the time the call is received.

The existing emergency phone number (213.974.1234) will allow reporting agencies and members of the general public to report sewage spill incidents or other types of emergencies (e.g. restaurant fires, carbon monoxide incidences, lack of hot/running water in residential units, etc.).

Additionally, a dedicated telephone number will be put in place strictly for Environmental Health staff to update and record spill information. This will bypass the public number (213.974.1234) and will be accessible to Environmental Health staff via numerical password.

In order to ensure that all voice clips remain assigned to a specific sewage spill ticket number, the County Operator will be required to stay on the line during all subsequent follow-up conversations held by Environmental Health. The call center will utilize the Service Center application, which is available 24 hours/7 days a week, in replacement of the Startel system currently used by ISD to receive sewage spills during weekend and after hours.

On December 10, 2007, ISD informed Environmental Health staff that Phase I solutions have been fully implemented.

Phase II will provide software modification and programming that will allow the County Operator to electronically "tag" voice clips to a particular sewage spill ticket with a single click of a button. In addition, ISD will create an interface between the Service Center system and Environmental Health's web-based database so that a "sub-set" of the Service Center ticket number will be "pushed" out to create the initial record on Environmental Health's system. Any updates made to the Service Center ticket, if appropriate, will be sent out to update the incident on Environmental Health's system. This application will not affect the ability of the public to access Environmental Health's web-based data-base to view and query sewage spill reports.

- In Phase III, ISD will replace the existing application with a more advanced communications technology. The new technology will enable the system to automatically “tag” the voice recording/clip to the sewage spill ticket. This system will be based on VoIP and Cisco’s IPCC (IP Call Center) technology.

ISD is developing a cost estimate to account for all three phases and a department service order (DSO) as needed.

ISD conducted testing of the Voice Print application (VPAppend) and training of County operators on how to access the Service Center screen, populate sewage spill ticket information, and enter the correct flagging information for the voice clips using VPAppend.

On September 27, 2007, representatives from Public Health, the Internal Services Department (ISD) and the Auditor-Controller’s Office met with the Public Health Commission to present an overview and status of the sewage spill reporting/tracking system. ISD indicated that all sewage spill calls/conversations are being recorded and attached to a sewage spill ticket number using the voice print application. ISD is currently finalizing the Service Center screen in order to create an interface between the Service Center tracking system and Environmental Health’s web-database.

On January 4, 2008, Environmental Health spoke with ISD staff to finalize the call flow “script” which will be used in the automated system in Phase II. On January 9, 2008 Environmental Health provided ISD with a list of employees who will have password protected access to the new system. ISD has indicated that the employee information and call flow script was programmed into the system, completing Phase II by January 31, 2008. In keeping with the Public Health Commission’s request that Environmental Health work with ISD to shorten the implementation timeline, Phase III is expected to deploy in March 2008, approximately three months ahead of the initial estimated implementation date.

- 5. To make the timeframe determined above an enforceable requirement in Los Angeles County, the Board of Supervisors consider requesting the Los Angeles Regional Water Quality Control Board to amend the Wastewater Discharge Requirements to include a requirement that specifies when the County’s Public Health Officer should be notified of a sewage spill.**

To implement Section 4 of the motion approved by the Board on January 30, 2007, the Executive Officer sent a letter to the California Regional Water Quality Control Board, Los Angeles Region on April 4, 2007, requesting that they:

- a. Amend the Los Angeles County National Pollutant Discharge Elimination System Permit and Waste Discharge Requirements to require sewer system owners/operators to implement the Auditor-Controller’s recommendations;
- b. Convene a work group of key stakeholders to develop specific maintenance standards for owners/operators of sanitary sewer systems in the County; and
- c. Seek appropriate authority and funding to create and operate an ongoing independent sanitary sewer collection system monitoring program which would monitor sanitary sewer owners/operators for compliance with established maintenance standards and would include a written report on the monitoring results.

- 6. The Board of Supervisors instruct the Department of Public Health, in consultation with the Public Health Commission, to develop an educational program for owners/operators of sanitary sewer systems, which shall include, but not be limited to, clarification on how soon the public health officer must be contacted after a spill and the names and telephone numbers of all County representatives that should be notified following a sewage spill.**

The Department of Public Health, in consultation with the City of Los Angeles Bureau of Sanitation, Los Angeles County Sanitation Districts, and the Los Angeles County Department of Public Works, developed a survey letter and mailed it on July 6, 2007 to the all contract cities and various sewer agencies. The purpose of the letter and survey is to 1) remind cities regarding their obligations under the California Health and Safety Code to report sewage spills in their jurisdiction to this Department, 2) advise all affected parties of the single 24 hour reporting telephone number (currently County Emergency Operator) 3) provide information as available on the proposed new regional call center, and 4) solicit comments as to what current policies/practices exist regarding sewage spill reporting procedures/requirements for sewer contractors, wastewater treatment plant operators and collection system personnel.

The results of this survey assisted staff in developing an educational program for owners/operators of sanitary sewer systems, and in the development and distribution of information explaining how the general public can file a sewage discharge report. Environmental Health received 34 of 90 surveys that were distributed to various sewer agencies.

On September 27, 2007, Environmental Health met with the Public Health Commission to provide an overview of the proposed educational program. The primary component of the education plan is to distribute sewage spill brochures to sewer contractors and owners of commercial food establishments and residential dwellings. The brochures will provide information on common causes and prevention methods for sewage discharges, the environmental and public health impact of discharges, and the reporting responsibilities, including where/how to report discharges.

Environmental Health has also developed a poster that will be distributed to various sewer agencies that own/operate sewage pump stations. The intent of the poster is to educate wastewater personnel on proper reporting and notification procedures.

On October 11, 2007, Environmental Health met with the Public Health Commission and presented drafts of educational brochures for their review and comment. On October 25, 2007, Environmental Health met with the Public Health Commission to obtain input on the sewage spill education plan. At this meeting, the Commission made several suggestions for proposed changes to the brochures and poster. The changes have been noted and the revised brochures and posters were approved by the Commission during its December 13, 2007 meeting.

On January 4, 2007, Environmental Health distributed copies of the revised draft brochures and poster to key stakeholders, including the Los Angeles County Department of Public Works, Los Angeles County Sanitation Districts, City of Los Angeles Bureau of Sanitation, Santa Monica Baykeeper, and Heal the Bay. The draft documents were also sent to all Board offices in January. The target date for distribution of the brochures and posters to sewer agencies and the general public is the end of February. In an effort to insure that distribution timelines are met, Environmental Health has initiated the requisition process for printing of the educational materials.

7. **The Board of Supervisors consider seeking an amendment to the Water Code to include a requirement that the local public health officer be immediately notified in the event of a sewage spill.**
8. **The Board of Supervisors consider seeking a change in State law to permit civil fines to be imposed on persons who do not immediately notify the local public health officer when a sewage spill occurs.**

AB 800 by Assembly Members Lieu, Brownley, and Krekorian, is the County-sponsored bill designed to implement these recommendations. The Chief Executive Office and the County's legislative advocates have worked closely with the legislators on these issues. Department staff traveled to Sacramento several times to testify in support of AB 800. On October 10, 2007, AB 800 was signed into law by Governor Schwarzenegger.

9. **Board of Supervisors instruct the Department of Public Health to provide the County operator with an emergency contact list that contains the names and telephone numbers of at least three employees who will be on-call to receive reports of sewage spills after normal business hours and to ensure that the contact list is always accurate and up-to-date.**
10. **Board of Supervisors instruct the Department of Public Health to instruct the County Operator in writing to report all sewage spills to an employee listed on the emergency contact list and to make repeated telephone calls if necessary until an employee is reached, and to discontinue the practice of leaving messages on voicemail or answering machine systems.**

On February 13, 2007, the County Operator was given a written memo, with the names and home, cellular and pager numbers for staff responding to weekend and after hours sewage discharge reports. The County Operator is instructed to contact everyone on the list provided by Environmental Health until a "live" person is reached. A total of seven names have been provided to ensure a timely and appropriate response. If a sewage discharge report is received on the weekend, Environmental Health has assigned two staff members of the seven to be on-call and reachable on a rotating basis, via home/cellular phone and pager, to respond as appropriate.

The County Operator was instructed to:

- Report all sewage discharges to Environmental Health regardless of the amount or location of the sewage discharge or the disposition of sewage.
- Report all sewage discharges to Environmental Health received during normal, weekend, or after hours.
- Continue the reporting process until an Environmental Health employee is reached rather than leave a message.

Prior to receiving the February 13th memo, the County Operator only reported discharges to Environmental Health on the same day that the Operator received initial notification of the spill if the discharges were 1,000 gallons or more. When receiving reports of discharges of less than 1,000 gallons, the County Operator would notify Environmental Health the next business day.

On March 13, 2007, Environmental Health staff met with ISD staff from the Customer Assistance Division (which includes the emergency operator unit), to discuss the automated notification system and clarify Environmental Health's emergency call list and procedures. On March 16, 2007, the County Operator was given documents that revised the list of emergency call responders along with instructions clarifying Environmental Health's emergency protocol.

On June 29, 2007, a memo was sent to the County Operator informing them of the new sewage spill reporting requirements and reminding them of their responsibility to receive all sewage discharge reports 24 hours/7 days a week, which became effective July 1, 2007. The County Operator was also provided with a revised list of emergency call responders along with the weekend/holiday standby schedule. The emergency call list is routinely submitted every six months or as changes in personnel or contact numbers warrant. On January 2, 2008 the County Operator was provided with a revised list of emergency call responders and the weekend/holiday standby schedule through June of 2008.

11. **The Board of Supervisors instruct the Department of Public Health to develop policies and procedures to centralize the reporting and tracking of all sewage spills within the Department's Recreational Health Program.**

On February 1, 2007, all staff members of the Recreational Health Program were trained on protocols for receiving sewage discharge reports from responsible agencies or the County Operator.

Environmental Health has developed a Sewage Discharge Incident Report Form that will be utilized by all Environmental Health units that respond to sewage discharge incidents from sources other than those agencies required to report discharges. For example, housing or food inspectors may learn of a sewage discharge from a multi-family housing complex or a restaurant where the sewage is going from private property onto the street. In this manner, sewage discharges from any source that may potentially impact waters, if known to any unit of Environmental Health, will be reported to the Water Quality Program. On March 16, 2007, a directive was issued to Environmental Health staff that implements these reporting procedures. These reporting procedures were reinforced during meetings with unit supervisors on March 29, 2007.

On March 15, 2007, Environmental Health staff assigned to the Water Quality Program were trained on protocols for receiving sewage discharge reports from the County Operator and/or responsible agencies.

On May 3, 2007, staff from the Water Quality Program met with Chiefs from the Housing Inspection Bureau. Water Quality staff clarified the sewage discharge reporting requirements expected of Housing Inspection Bureau staff responding to sewage discharges that may occur in the community. An updated sewage discharge reporting form was distributed.

On August 22, 2007, a memo was sent to the Public Health Commission to address concerns regarding sewage discharges in public streets. The memo described the protocols used by Environmental Health staff when responding to sewage discharges that occur at commercial properties and single/multiple family dwellings. The memo also advised the Commission that Environmental Health is in discussions with various sewer agencies and municipalities regarding their protocols for responding to sewage discharges, including procedures for clean-up of sewage on public property.

In November 2007, two additional staff were assigned to the Water Quality Program. Newly assigned staff are currently being trained on procedures for collecting ocean water samples and emergency response in order to increase response capacity.

12. The Board of Supervisors instruct the Department of Public Health to require Recreational Health Program to immediately begin documenting and tracking all reports of sewage spills, and providing reference/tracking numbers to persons reporting sewage spills.

As reported to you in our February 6, 2007 memorandum, Environmental Health established a database of sewage spill reports (from 2002 to the present) that includes information such as the date of report, location, start and end time, reporting party, cause and actions taken. The information is color coded to indicate significant reporting delay, reported to Public Health (Environmental Health), amount of spill, amount contained, whether the spill reached the ocean, and if discharge into ocean was insignificant or required beach closure. This information is currently being posted on the web as a PDF file and Environmental Health staff is updating it on a weekly basis.

The following table identifies the number of sewage discharges and beach closures that were reported to Environmental Health since January 1, 2007:

Reporting month	Number of Sewage Discharge Reports	Number of Beach Closures
January	21	1
February	44	3
March	61	0
April	90	0
May	72	1
June	63	1
July	67	1
August	58	0
September	58	0
October	98	0
November	67	0
December	81	0
2007 TOTAL*	780	7

***A total of 780 sewage discharges were reported to Environmental Health in 2007, compared with 26 discharges reported in 2006. This represents a 3,000% increase in reporting. There were 7 beach closures in 2007 compared with 3 in 2006.**

A web-based sewage discharge tracking database, which allows Environmental Health staff to seamlessly post updated information on the Environmental Health website was activated on May 1, 2007. This website allows users to query sewage discharges from April 12, 2007 by city, zip code, month, year, and gallons. Historical data prior to April 12, 2007 is archived and viewable. On May 1, 2007, Environmental Health incorporated into their database a system by which a tracking number will be automatically assigned to each discharge report. In response to suggestions from the Public Health Commission at its September 27, 2007 meeting, Environmental Health has also made revisions to the website to make it more user-friendly. These revisions include uniform time reporting for all incidents and information pop-ups defining each reporting column.

On August 21, 2007, a letter was mailed to the Governor's Office of Emergency Services (OES) requesting assistance in reconciling records regarding sewage spill reporting in Los Angeles County. OES was provided with a list of sewage spills of 1,000 gallons or more that have been reported to Environmental Health since January 1, 2007.

On September 14, 2007, staff from OES contacted Environmental Health staff in response to the August 21, 2007 letter. Preliminary discussions indicate that sewage spills reported to OES were subsequently referred to agencies other than Environmental Health, such as the Los Angeles County Fire Department Health Hazardous Materials Division. Environmental Health is working closely with OES to resolve this reporting oversight. OES indicated that as of July 1, 2007, all sewage spills reported will be referred to Environmental Health. OES further indicated that they will respond to the August 21, 2007 letter and will supply information necessary to reconcile reports prior to July 1, 2007.

On October 29, 2007, Environmental Health began receiving via email, Sanitary Sewer Overflow Event Reports (SSO) from the California Regional Water Quality Control Board, Los Angeles Region (Water Board). The Water Board receives the information for the SSO's from the sewage dischargers. The SSO reports from the Water Board were compared with Environmental Health's database for discharge reports to ensure sewage dischargers submitting sewage spill reports to the Water Board had also submitted a sewage spill report to Environmental Health.

The following is a summary of the SSO reports received for November and December 2007 from the Water Board compared with Environmental Health's database:

Number of SSO Reports Received November 2007	Number of discharges that had volume differences	Number of discharges that had address discrepancies	Number of discharges that had date discrepancies	Number of discharges that were not in the database	Number of discharges not within Environmental Health's jurisdiction
49	8	0	0	5	1 (City of Long Beach)

Number of SSO Reports Received December 2007	Number of discharges that had volume differences	Number of discharges that had address discrepancies	Number of discharges that had date discrepancies	Number of discharges that were not in the database	Number of discharges not within Environmental Health's jurisdiction
59	7	2	3	13	3 (City of Long Beach)

On November 28, 2007, the Los Angeles County Department of Public Works, Sewer Maintenance Division (Public Works), sent Environmental Health a report of all sewage discharges from January 7, 2007 to November 18, 2007. Environmental Health compared the report received from Public Works against Environmental Health's database.

The following is a summary of the report received from Public Works' sewage discharges compared with Environmental Health's database:

Number of L.A. County DPW discharges	Number of discharges that had volume differences	Number of discharges that had address discrepancies	Number of discharges that had date discrepancies	Number of discharges that were not in the database	Number of discharges not within Environmental Health's jurisdiction
209	25	5	1	52	0

It should be noted that during January, February, and March of 2007, Environmental Health was collaborating with its partners to streamline and standardize Environmental Health's sewage reporting procedures. By April, 2007, Environmental Health had updated its procedures and a new web-based database was activated.

The following is a summary of the report from Public Works' sewage discharges compared with Environmental Health's database from April 16, 2007 to November 18, 2007:

Number of L.A. County DPW discharges	Number of discharges that had volume differences	Number of discharges that had address discrepancies	Number of discharges that had date discrepancies	Number of discharges that were not in the database	Number of discharges not within Environmental Health's jurisdiction
135	20	4	1	11	0

On December 5, 2007, the Los Angeles County Sanitation Districts (San District) sent Environmental Health a report of all their sewage discharges from January 1, 2007 through November 15, 2007. Environmental Health compared the report from the San District against Environmental Health's database.

The following is a summary of the report from the San District sewage discharges compared with Environmental Health's database from January 1 through November 15, 2007:

Number of LACSD discharges	Number of discharges that had volume differences	Number of discharges that had address discrepancies	Number of discharges that had date discrepancies	Number of discharges that were not in the database	Number of discharges not within Environmental Health's jurisdiction
11	4	1	0	1	2 (City of Long Beach)

Environmental Health staff corrected all discrepancies from the reports received from the Water Board, Public Works and the San District. These discrepancies were minor in nature and would not have made a difference in Environmental Health's response. Additionally, any discharges not in the Environmental Health database were added to it.

On January 11, 2008, letters were sent to the mayor and city manager of cities who failed to report sewage discharges to Environmental Health, to remind them of reporting obligations. The letters included information regarding the failed reporting event date and volume of discharge. Letters were mailed to the following 17 cities:

CITY	# OF SEWAGE DISCHARGES	VOLUME OF DISCHARGES (Gallons)	CITY	# OF SEWAGE DISCHARGES	VOLUME OF DISCHARGES (Gallons)
Beverly Hills	1	100	Manhattan Beach	1	125
Burbank	5	477	Monrovia	1	136
Cerritos	1	270	Monterey Park	2	4,540
Covina	2	1,150	Pomona	1	60
Culver City	7	900	Redondo Beach	6	403
El Monte	1	999	San Fernando	1	49,950
Glendale	8	8,799	Torrance	1	20
Glendora	1	200	Whittier	11	1,215
Malibu	1	900	TOTAL	51	70, 244

Sewage discharge reports have been requested from the City of Los Angeles Bureau of Sanitation and the Governor's Office of Emergency Services. As of February 11, 2008, these reports have not been received, however Environmental Health has been advised they will be sent shortly. When these reports are received, a similar comparison and cross-checks against the Environmental Health database will be conducted.

13. **The Board of Supervisors instruct the Department of Beaches and Harbors and the Fire Department to submit a reimbursement claim to the Los Angeles County Sanitation Districts for costs incurred in responding to the January 2006 Manhattan Beach sewage spill.**

The Fire Department advised that a claim was submitted to the Los Angeles County Sanitation District the week of February 19, 2007. The Department of Beaches and Harbors advised that a claim was filed on March 5, 2007.

14. **The Board of Supervisors consider requesting the Governor to appoint someone with an expertise in public health to fill the vacant membership position on the Los Angeles Regional Water Board.**
15. **The Board of Supervisors consider seeking an amendment to the Water Code to require that at least one of the Water Board's seven membership categories include someone with a public health background.**

To implement Section 3 of the motion approved by the Board on January 30, 2007, the Executive Officer sent a letter, signed by the Board, with the Auditor-Controller's Report, to Governor Schwarzenegger and the Los Angeles County Legislative Delegation on April 4, 2007, requesting amendments to State law to:

- a. Require that the local health officer be immediately notified in the event of a sewage spill,
- b. Permit civil fines to be imposed on persons who do not immediately make that notification, and
- c. Require at least one Water Board member to have a public health background.

The Board further requested an investigation into whether the problems Los Angeles County experienced in reporting and documenting potentially harmful sewage spills as required by law are also occurring elsewhere in the State.

AB 800 by Assembly Members Lieu, Brownley, and Krekorian, was the County-sponsored bill designed to implement these recommendations. The Chief Executive Office and the County's legislative advocates have worked closely with the legislators on these issues. A motion by Supervisors Knabe and Yaroslavsky which was adopted by the Board on May 15, 2007, instructed the County's legislative advocate to continue to pursue the addition of a member with public health expertise on the Water Board separately from the County's efforts as the sponsor of AB 800.

On October 10, 2007, AB 800 was signed into law. The new law requires that a person, without regard to intent or negligence, who permits or causes the discharge of sewage or waste in or on any waters of the state to notify the appropriate local health officer (LHO) or director of environmental health (DEH) as soon as the person has knowledge of the discharge, and requires the Office of Emergency Services (OES) to immediately notify the appropriate LHO or DEH. The law requires the LHO or the DEH, upon receiving notification of the discharge, to determine whether notification of the public is required to safeguard public health and safety.

16. **The Board of Supervisors instruct the Department of Public Health, in conjunction with the Public Health Commission, the Auditor-Controller, and County Counsel to determine whether new State laws are needed to ensure the protection of public health when sewage spills discharge into dry riverbeds that are near residential communities.**

On April 3, 2007, the Board approved this additional recommendation. Public Health staff have held preliminary discussions with the Public Health Commission to understand the scope of locations which might be covered by such state laws. On June 28, 2007, Environmental Health staff met with County Counsel to discuss this recommendation and to determine whether additional legislation is needed for sewage spills that discharge or have the potential to enter into dry riverbeds.

On August 6, 2007, County Counsel provided its advice that the determination of whether a dry river bed would be considered part of the "waters of the state," will likely be a factual determination based on whether the dry river bed becomes wet with some frequency. However, due to the uncertainty that this case-by-case analysis may entail, the County may wish to consider and implement alternative means of enforcement and notification procedures.

Action Plan Auditor-Controller's Recommendations

No.	RECOMMENDATION	LEAD	ACTION	ISSUES/COMMENTS	TARGET DATES	STATUS
4	The Board of Supervisors instruct the Department of Public Health, in collaboration with interested environmental groups and sewer system owners/operators, the Department of Beaches and Harbors, Fire Department/Lifeguard Division, and California Regional Water Quality Control Board Los Angeles Region, to define the mandatory time frame for reporting a sewage spill to the County's Public Health Officer.	DPH	<p>Environmental Health staff met with Rita Robinson and key staff from the LA City Bureau of Sanitation to discuss spill reporting procedures and implementation concerns.</p> <p>Public Health staff met with all stakeholders to review the Board's motion and action, review the Auditor-Controller's report, review current legislation regarding sewage spill reporting, review actions taken to date in response to the Board's motion and Auditor-Controller's report, and to discuss preparation of a draft response plan to address the Board's motion and Auditor-Controller's recommendation.</p> <p>A letter was mailed to the cities of Pasadena, Vernon, and Long Beach requesting that sewage discharges which take place in their respective jurisdiction and have the potential to enter Los Angeles County Jurisdiction be reported to the Los Angeles County Health Officer.</p>	<p>EH staff shared reporting procedures and exchanged contact information of key personnel to ensure effective communication and actionable information during sewage spill reporting.</p> <p>At this meeting, three subcommittees were formed for the purpose of 1) determining spill reporting timeline requirements, 2) developing a contractor notification/reporting policy, and 3) developing a regional call center.</p>	<p>Subcommittees scheduled to meet within 30 days</p>	<p>Completed Meeting held on 2-14-07</p> <p>Completed Meeting held on 2-23-07</p> <p>Completed Letter mailed on 2-16-07</p>

No.	RECOMMENDATION	LEAD	ACTION	ISSUES/COMMENTS	TARGET DATES	STATUS
			<p>Environmental Health staff met with ISD staff from the Customer Assistance Division (which includes the emergency operator unit), to discuss the automated notification system and clarify Environmental Health's emergency call list and procedures.</p> <p>Environmental Health staff met with members of all three subcommittees. Environmental Health has prepared reports to memorialize the discussion and findings derived from these meetings. These reports were distributed to all subcommittee members for review and comment.</p> <p>Public Health staff met with the Long Beach Health Officer to discuss inter-jurisdictional sewage spill notification, a proposal for a regional call center, and pending regulation regarding sewage spills.</p>	<p>Further research analysis was required regarding the Service Center Program and time stamping capabilities.</p> <p>Environmental Health continued to work with members of the subcommittees.</p> <p>At this meeting, Dr. Fielding and key department staff met with Ronald Arias (City of Long Beach Health and Human Services Director), Darryl Sexton (City of Long Beach Health Officer), Jeff Benedict (City of Long Beach Environmental Health Director), and other Long Beach staff. The departments exchanged information on issues affecting water quality and uniform standards for grading Los Angeles County Beaches. We committed to work together cooperatively</p>	<p>Meeting scheduled for 3-13-07</p> <p>Meeting is scheduled for 3-29-07.</p>	<p>Completed Meeting held on 3-13-07</p> <p>Meetings were held on March 20-21, 2007.</p> <p>Completed Meeting held on 3-29-07.</p>

No.	RECOMMENDATION	LEAD	ACTION	ISSUES/COMMENTS	TARGET DATES	STATUS
			<p>Environmental Health staff met with ISD Information Technology (IT) staff to discuss the technical/software expansion capabilities of the current audio-data and emergency call system.</p> <p>Environmental Health staff met with staff from ISD's Information Technology Service and Customer Assistance Division to discuss a proposal to improve tracking of sewage spill using a three-phase approach.</p> <p>Environmental Health and ISD met with the Public Health Commission to provide an overview and status of the call center.</p>	<p>on all elements of sewage spill reporting and disclosure.</p> <p>Follow-up meeting to secure technical information regarding ISD call center expansion capability as well as information in which to draft scope-of-work specifications for RFP contractor operated regional call center.</p> <p>ISD is developing a cost estimate to account for all three phases and a Department Service Order (DSO) as needed.</p> <p>ISD indicated that all sewage spill calls and conversations are being recorded and attached to a sewage spill ticket number using the voice print application.</p>	<p>Meeting is scheduled for 4-4-07.</p> <p>Meeting is scheduled for 5-24-07.</p> <p>Meeting is scheduled for 9-27-07.</p>	<p>Meeting held on 4-4-07.</p> <p>Meeting held on 5-24-07.</p> <p>Meeting held on 9-27-07.</p>

No.	RECOMMENDATION	LEAD	ACTION	ISSUES/COMMENTS	TARGET DATES	STATUS
			<p>ISD is currently finalizing the ServiceCenter tracking system and Environmental Health's web-database.</p> <p>Full implementation of Phase I.</p> <p>Full implementation of Phase II. On January 4, 2008, Environmental Health spoke with ISD to finalize the call flow "script" which will be used in the automated system in Phase II. On January 9, 2008, Environmental Health provided ISD with a list of employees who will have password protective access to the new system.</p> <p>Full implementation of Phase III solution.</p>	<p>Environmental Health staff will have access to the ServiceCenter ticket application for the purpose of modifying and updating information contained in the initial sewage spill ticket.</p> <p>ISD has indicated that employee information and call flow script will be programmed into the system, thereby completing Phase II</p> <p>Environmental Health worked with ISD to shorten the implementation timeline.</p>	<p>Early November of 2007.</p> <p>November 2007</p> <p>Jan. 31, 2008</p> <p>ISD indicated that Phase III is expected to deploy in March of 2008, approximately 3 months ahead of the initial estimated implementation date.</p>	<p>Completed 12-13-07.</p> <p>Completed 1-31-08.</p> <p>In progress</p>

No.	RECOMMENDATION	LEAD	ACTION	ISSUES/COMMENTS	TARGET DATES	STATUS
6	The Board of Supervisors instruct the Department of Public Health, in consultation with the Public Health Commission, to develop an educational program for owners/operators of sanitary sewer systems, which shall include, but not limited to, clarification on how soon the public health officer must be contacted after a spill and the names and telephone numbers of all County representatives that should be notified following a sewage spill	DPH	<p>After the three sub-committees made their recommendations, the Department of Public Health, in consultation with the Public Health Commission, developed educational materials and will distribute them to all owners/operators of sanitary sewer systems in the County. The Department will also develop and distribute information explaining how the general public can file a sewage discharge report.</p> <p>Environmental Health developed a survey letter and distributed it to all contract cities to determine what <i>current practices/policies</i> exists regarding sewage spill reporting for sewer contractors, wastewater treatment plant operators, and collection system personnel.</p> <p>Environmental Health met with the Public Health Commission to provide an overview of the proposed educational program.</p>	<p>The period for subcommittee comments has elapsed and Environmental Health staff has incorporated comments and recommendations into the survey letter.</p> <p>Upon review of survey responses, Environmental Health contacted the Public Health Commission to present an outline of the proposed education plan for review and comment.</p> <p>Environmental Health received 34 of 90 surveys that were distributed to various sewer agencies. Staff drafted brochures based on the information compiled from the survey.</p>	<p>Meeting is scheduled for 9-28-07</p>	<p>Survey letter mailed to all contract cities and various sewer agencies on 7-6-07</p> <p>Meeting held on 9-28-07.</p>

No.	RECOMMENDATION	LEAD	ACTION	ISSUES/COMMENTS	TARGET DATES	STATUS
			<p>Environmental Health met with the Commission to provide drafts of the sewage spill brochures.</p> <p>Environmental Health developed a poster that will be distributed to various sewer agencies that own/operate sewage pump stations. The intent of the poster is to educate personnel on proper reporting and notification procedures.</p> <p>Environmental Health met with the Commission to review the Commission's suggested changes to the brochures and poster.</p> <p>Environmental Health distributed copies of the revised draft brochures and poster for comment to key stakeholders, including the Los Angeles County Department of Public Works, Los Angeles County Sanitation Districts, City of Los Angeles Bureau of Sanitation, Santa Monica Baykeeper, and Health the Bay.</p> <p>Environmental Health will mail/distribute the finished copies of the poster and brochures to sewer agencies and the general public.</p>	<p>Environmental Health provided the Public Health Commission with a draft of the poster for review and comment.</p> <p>Revised brochures and poster were approved by the Commission.</p> <p>Environmental Health has initiated the requisition process for printing of the educational materials.</p>	<p>Meeting is scheduled for 10-11-07</p> <p>Meeting scheduled for 10-25-07</p> <p>Meeting scheduled for 12-13-07.</p> <p>January 4, 2008</p> <p>End of February 2008.</p>	<p>Completed Meeting held on 10-11-07.</p> <p>Completed. Meeting held on 10-25-07.</p> <p>Completed. Meeting held on 12-13-07.</p> <p>Completed. Educational materials mailed out on 1-04-08.</p>
9	The Board of Supervisors instruct the Department of Public Health to provide the County Operator with an emergency contact list that contains the names and telephone numbers of at least three employees who will be on-call to receive reports of sewage spills after normal business hours and		The County Operator has been provided in writing the names and home, cellular and pager numbers for staff responding to weekend and after-hours sewage discharge reports. If a sewage discharge report is received after hours during the work week, the County Operator is instructed to contact everyone on the list provided by Environmental Health until a "live" person is			Completed. Letter mailed on 2-13-07.

No.	RECOMMENDATION	LEAD	ACTION	ISSUES/COMMENTS	TARGET DATES	STATUS
	to ensure that the contact list is always accurate and up-to-date.		<p>reached. If a sewage discharge report is received on the weekend, Environmental Health has assigned two staff members to be on-call and reachable, via home/cellular phone and pager, to respond as appropriate.</p> <p>The County Operator was provided with a list of seven employees, each with three modes of communication, who can be called to receive after-hour reports.</p> <p>The County Operator was provided with a monthly calendar of the employees who will be on-call to receive reports of sewage spills during weekend hours (Friday at 5:30 pm to Monday at 7:00 am).</p>			<p>Completed. Letter mailed on 2-14-07.</p> <p>Completed. Letter mailed on 3-16-07</p>
10	Board of Supervisors instruct the Department of Public Health to instruct the County Operator in writing to report all sewage spills to an employee listed on the emergency contact list and to make repeated telephone calls if necessary until an employee is reached, and to discontinue the practice of leaving messages on voicemail or answering machine systems.		The County Operator has been instructed to report all sewage discharges to Environmental Health regardless of the amount or location of the sewage discharge or the disposition of sewage; report all sewage discharges to Environmental Health received during normal, weekend or after hours; and continue the reporting process until an Environmental Health employee is reached rather than leaving a message.	Prior to the 2-13-07 memo, the County Operator only reported discharges to Environmental Health on the same day that the Operator received initial notification of the spill if the discharges were 1,000 gallons or more. When receiving reports of discharges less than 1,000 gallons, the County Operator would notify Environmental Health the next business day.		Letter mailed on 2-13-07.

No.	RECOMMENDATION	LEAD	ACTION	ISSUES/COMMENTS	TARGET DATES	STATUS
			<p>Environmental Health staff met with ISD staff from the Customer Assistance Division (which includes the emergency operator unit), to discuss the automated notification system and clarify Environmental Health's emergency call list and procedures.</p> <p>Provided the County Operator with the revised list of emergency call responders, along with instructions clarifying Environmental Health's emergency protocol.</p> <p>Provided a memo to the County Operator informing them of the new spill reporting requirements and reminding them of their responsibility to receive all sewage discharge reports 24 hours/day, 7 days a week, which became effective July 1, 2007. Environmental Health will also provide the County Operator with a revised list of emergency call responders along with the weekend/holiday standby schedule for the months of July through December 2007.</p>	<p>On January 2, 2008, the County Operator was provided with a revised list of emergency call responders along with the weekend/holiday standby schedule for the months of January through June of 2008.</p>	<p>Meeting is scheduled for 3-13-07</p> <p>6-29-07</p>	<p>Meeting held on 3-13-07.</p> <p>Completed. Letter mailed on 3-16-07</p> <p>Completed. Letter mailed on 6-29-07.</p>
11	The Board of Supervisors instruct the Department of Public Health to develop policies and procedures to centralize reporting and tracking of all sewage spills within the Department's Recreational Health Program.		<p>Provide training to all staff members of the Recreational Health Program to receive sewage discharge reports from the County Operator and responsible agencies.</p> <p>Environmental Health reorganized the Recreational Health Program to form the Pool Inspection Program and the Water Quality Program.</p>	<p>This action will provide specific focus and responsibility to staff assigned to the Water Quality Program in the areas of fresh and ocean water quality monitoring, including implementing actions when water quality standards are not met,</p>		<p>Completed. Training provided on 2-1-07.</p> <p>Completed on 3-12-07</p>

No.	RECOMMENDATION	LEAD	ACTION	ISSUES/COMMENTS	TARGET DATES	STATUS
			<p>Newly assigned Environmental Health staff to the Water Quality Program are being trained on procedures for collecting ocean water samples and emergency response in order to increase response capacity</p> <p>Environmental Health staff assigned to the Water Quality Program were trained on protocols for receiving sewage discharge reports from the County Operator and/or responsible agencies.</p> <p>Environmental Health developed a Sewage Discharge Incident Report Form that will be utilized by all Environmental Health units that respond to sewage discharge incidents from sources other than those agencies required to report discharges. For example, housing and food inspectors may learn of a sewage discharge from a multi-family housing complex or a restaurant where sewage is going from private property on to the street.</p> <p>A directive was distributed to all Environmental Health Bureau Directors that standardizes the reporting procedures for sewage discharges for all units of Environmental Health. This directive ensures that sewage discharges from any source that may potentially impact state waters, if known to any unit of Environmental Health, will be reported to the Water Quality Program.</p>	<p>such as related to sewage spills and discharges.</p> <p>This action will enhance Environmental Health's response to sewage discharges that may potentially have impact on ocean waters as discharges not addressed through requisite reporting agencies will be accounted for.</p>		<p>Initial training on 3-12-07 and ongoing for remaining staff.</p> <p>Completed Training provided on 3-15-07</p> <p>Completed on 3-16-07</p> <p>Meeting held on 3-29-07.</p>

No.	RECOMMENDATION	LEAD	ACTION	ISSUES/COMMENTS	TARGET DATES	STATUS
			<p>Environmental Health met with representatives from the Auditor-Controller's Office to discuss the Board motion and the Auditor-Controller's report, with emphasis on those recommendations in which Public Health is accountable for completing.</p> <p>Provide the Auditor-Controller with copies of letters, meeting minutes, recommendations, monthly reports to the Board, etc. as requested during the 7-10-07 meeting.</p> <p>Provide a memo to the Public Health Commission to address concerns regarding sewage discharges in public streets. The purpose of the memo is to 1) describe the protocols used by Environmental Health staff when responding to sewage discharges that occur at commercial properties and single/multiple family dwelling units and 2) inform the Commission that Environmental Health is in discussion with various sewer agencies regarding protocols for responding to sewage discharges, including procedures for clean-up of sewage on public property.</p>	<p>Environmental Health provided an overview on the actions taken to date and direction in which the Department was headed.</p>	<p>7-10-07</p> <p>8-22-07</p>	<p>Meeting was held on 7-10-07</p> <p>Completed on 7-13-07</p> <p>Completed memo emailed on 8-22-07.</p>
12	The Board of Supervisors instruct the Department of Public Health to require the Recreational Health Program to immediately begin documenting and tracking of all reports of sewage spills, and providing reference/tracking numbers to persons reporting sewage spills.		Environmental Health established a database of sewage spill reports (from 2002 to present) that includes information such as the date of report, location, start and end time, reporting party, and cause and actions taken. The information is color coded to indicate significant report delay, reported to Public Health (Environmental Health), amount of spill, amount contained, whether the spill reached the ocean, and if discharge into ocean was insignificant or required beach closure.	This information is currently being posted on the web as a PDF file and Environmental Health staff is updating it on a weekly basis.		Updated and posted weekly (on Fridays).

No.	RECOMMENDATION	LEAD	ACTION	ISSUES/COMMENTS	TARGET DATES	STATUS
			<p>Environmental Health staff met with staff from Public Health Web Infomatics to establish a web-based sewage tracking database. This database will allow Environmental Health to seamlessly post updated information on the Environmental Health website.</p> <p>Environmental Health began testing of the new web-based database.</p> <p>Provide a letter to the Governor's Office of Emergency Services (OES) requesting them to assist Environmental Health in reconciling records regarding sewage spill reporting in Los Angeles County. Provide a list of sewage spills of 1,000 gallons or more that have been reported to Environmental Health since 01-01-07.</p>	<p>The website will allow a user to query sewage spills based on certain parameters.</p> <p>Initial testing has revealed several deficiencies that require resolution before implementation. As a result, a revised version was provided to Environmental Health on 3-28-07 for additional testing.</p> <p>On 8-21-07, staff from OES contacted Environmental Health staff in response to the 8-1-07 letter. Preliminary discussions indicated that sewage spills reported to OES were subsequently referred to agencies other than Environmental Health, such as LA County Hazardous Materials Division.</p>	<p>If the database meets Environmental Health needs, posting of the database on the EH website is expected to be completed by 6-01-07.</p> <p>8-21-07</p>	<p>Completed Meeting held on 3-1-07.</p> <p>Completed. Web-based database activated on 5-01-07.</p> <p>Letter mailed on 8-1-07</p>

No.	RECOMMENDATION	LEAD	ACTION	ISSUES/COMMENTS	TARGET DATES	STATUS
13	The Board of Supervisors instruct the Department of Beaches and Harbors and the Fire Department to submit a reimbursement claim to the Los Angeles County Sanitation Districts for costs incurred in responding to the January 2006 Manhattan Beach sewage spill.	Dept. of Fire and Beaches and Harbors	EH is working closely with OES to resolve reporting oversights. OES indicated that as of 7-1-07, all sewage spills reported will be referred to EH	OES indicated that they will respond to the 8-1-07 letter and will supply information necessary to reconcile reports prior to 7-1-07.		In progress
			EH has requested sewage discharge reports from City of Los Angeles Bureau of Sanitation, Los Angeles County Department of Public Works, and Los Angeles County Sanitation Districts. The purpose of these reports is to reconcile EH's records with those of the main agencies that transport and treat sewage.	EH has received reports from Los Angeles County Public Works and the Los Angeles County Sanitation Districts. EH has not received reports from L.A. City, but expects to shortly.		In progress.
			EH has requested and has started receiving Sanitary Sewer Overflow (SSO) reports from the California Regional Water Quality Control Board, Los Angeles Region. EH is using these reports to reconcile their records.	Reports are received via email		Completed. Ongoing.
			Send a letter to sewage dischargers who failed to report, reminding them of their obligation to report sewage spills to Environmental Health.			Completed. Letters mailed on 01-11-08
			The Fire Department advised that a claim was submitted to the Los Angeles County Sanitation Districts.			Completed during the week of 2-29-07.
			The Department of Beaches and Harbors advised that a claim was submitted to the Los Angeles County Sanitation Districts.			Completed on 3-5-07.

No.	RECOMMENDATION	LEAD	ACTION	ISSUES/COMMENTS	TARGET DATES	STATUS
16	The Board of Supervisors instruct the Department of Public Health, in conjunction with the Public Health Commission, the Auditor-Controller, and County Counsel to determine whether new State laws are needed to ensure the protection of public health when sewage spills discharge into dry riverbeds that are near residential communities.		<p>Environmental Health met with County Counsel to discuss this recommendation.</p> <p>County Counsel provided its opinion that dry riverbeds are "waters of the state," if they become wet with some frequency. Because of the uncertainty of the case-by-case analysis, the County may wish to consider and enforce alternative procedures.</p>	<p>Environmental Health will consult with the other departments to determine whether any alternative procedures are necessary.</p>		<p>Completed. Meeting was held on 6-28-07</p> <p>County Counsel provided opinion on 8-6-07</p>



**COUNTY OF LOS ANGELES
DEPARTMENT OF AUDITOR-CONTROLLER**

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WENDY L. WATANABE
CHIEF DEPUTY

March 3, 2008

TO: Supervisor Yvonne B. Burke, Chair
Supervisor Gloria Molina
Supervisor Zev Yaroslavsky
Supervisor Don Knabe
Supervisor Michael D. Antonovich

FROM: J. Tyler McCauley *TM*
Auditor-Controller

SUBJECT: **SEWAGE SPILL REPORT FOLLOW-UP
(BOARD AGENDA ITEM #8, JANUARY 30, 2007)**

On January 30, 2007, your Board instructed the Auditor-Controller, in consultation with the County's Public Health Commission, to conduct a follow-up review on the implementation status of 15 recommendations contained in our January 2007 Sewage Spill Report and to report back as a set item on the Board's agenda within one year. The Board also instructed us to make recommendations on what further actions may be needed and directed the Department of Public Health (Department of Public Health) to lead a project to pursue implementation of all Auditor-Controller recommendations.

Our review also includes a follow-up on the one recommendation contained in the Auditor-Controller's March 30, 2007 Revised Sewage Spill Data Report. Below is the status on all 16 recommendations.

Observations

Since the issuance of the January 2007 Sewage Spill Report, there has been a dramatic increase in the reporting of sewage spills to the County Public Health Officer. The reporting of sewage spills increased 2,900%, from 26 in 2006 to 773 in 2007. We also noted that the reporting of sewage spills of 1,000 gallons or greater increased 645%, from 11 in 2006 to 82 in 2007. In fact, the reporting of sewage spills during calendar year 2007 exceeded the combined total of all sewage spills reported during the preceding five year period (i.e., from calendar year 2002 to calendar year 2006). The

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Department's records indicate that during this five year period, Public Health received only 87 sewage spills reports, versus 773 for the entire calendar year 2007.

In addition, the reporting of inter-jurisdictional sewage spills has also improved. According to the City of Long Beach's Environmental Health Officer, he could not confirm that the City was notified of any sewage spills during calendar year 2006.¹ However, during calendar year 2007, the City received 144 reports of sewage spills. Orange County Environmental Health stated that it received no reports of sewage spills during calendar year 2006 from Los Angeles County Public Health or from Los Angeles County sewage dischargers. However, during calendar year 2007, Orange County Environmental Health stated that it received three sewage spill reports from Los Angeles County dischargers.

We believe the improvements noted above are the direct result of the following: 1) an increased awareness by dischargers of their responsibility to notify the local public health officer of sewage spills; 2) better recordkeeping by the local public/environmental health officers; and 3) meetings between the County Public Health Officer and Long Beach City Health Officer to improve inter-jurisdictional communications.

Attachment I provides a comparison of sewage spills reported before and after the January 2007 Sewage Spill Report.

Status of Recommendations

Of the 16 recommendations, the County has fully implemented 15 recommendations and has partially implemented one recommendation (Recommendation #6). For five recommendations (Recommendations #1, #2, #3, #5 and #15), additional action is needed by the State to fully implement the intent of these recommendations. The detailed status of each recommendation is discussed below.

Recommendation #1

The Board of Supervisors consider requesting the Los Angeles Regional Water Quality Control Board to amend the National Pollutant Discharge Elimination System (NPDES) permit and Waste Discharge Requirements (WDR) to require sewer system owners/operators to:

- a) At a minimum, operate and maintain their sewer system equipment at the level specified by the equipment's manufacturer with additional maintenance performed as necessary to prevent sewage spills from occurring.**

¹ The spill chart for the County's Department of Public Health shows several sewage spills reported to the City of Long Beach during calendar year 2006. However, as noted, the City of Long Beach's Environmental Health Officer stated he could not confirm that the City was notified of the spills. Since our January 2007 Sewage Spill Report, the Department of Public Health and the City of Long Beach's Environmental Health have both taken action to improve their sewage spill tracking systems.

- b) **Perform regular tests of their pumping station alarm systems, backup pumps, and electrical generators to ensure they will function as intended during an emergency.**
- c) **Maintain documentation to support all maintenance and testing of their sewer systems.**

Recommendation #2

The Board of Supervisors consider requesting the Los Angeles Regional Water Quality Control Board to convene a work group of key stakeholders to develop specific maintenance standards for owners/operators of sanitary sewer systems in Los Angeles County.

Recommendation #3

The Board of Supervisors consider requesting the Los Angeles Regional Water Quality Control Board to seek appropriate authority and funding to create and operate an ongoing independent sanitary sewer collection system monitoring program. The program would monitor sanitary sewer owners/operators for compliance with established maintenance standards and would include a written report on the monitoring results.

Status: IMPLEMENTED (Additional State Action Required)

On April 4, 2007, on behalf of your Board, the Executive Officer of the Board of Supervisors sent a letter to the Los Angeles Regional Water Quality Control Board (Regional Water Board) requesting that it amend the Los Angeles County National Pollutant Discharge Elimination System (NPDES) permit and Waste Discharge Requirements (WDR) to require sewer system owners/operators to:

- a) At a minimum, operate and maintain their sewer system equipment at the level specified by the equipment's manufacturer with additional maintenance performed as necessary to prevent sewage spills from occurring.
- b) Perform regular tests of their pumping station alarm systems, backup pumps, and electrical generators to ensure they will function as intended during an emergency.
- c) Maintain documentation to support all maintenance and testing of their sewer systems.

The letter also requested that the Regional Water Board convene a work group of key stakeholders to develop specific maintenance standards for owners/operators of sanitary sewer systems in Los Angeles County and to seek appropriate authority and funding to create and operate an ongoing independent sanitary sewer collection system monitoring program.

According to a Regional Water Board representative, its legal counsel advised that Water Code Section 13360 (a) prohibits the Regional Water Board from specifying how operators must maintain their equipment. However, on July 19, 2007, the Regional Water Board's Executive Officer sent a letter to the State Water Resources Control Board (State Water Board) expressing your Board's concerns over the maintenance of sanitary sewer systems. The Executive Officer also requested that the State Water Board convene a workgroup of key stakeholders to develop maintenance standards for owners/operators of sanitary sewer systems and provide assistance in creating and operating a sanitary sewer collection system surveillance and monitoring program.

The State Water Board's Executive Director, in her response, dated November 26, 2007, indicated that she welcomed discussion on how the Sanitary Sewer Overflow Reduction Program can be enhanced and plans to discuss your Board's letter at a future meeting of its Management Coordinating Committee.

Recommendation #4

The Board of Supervisors instruct the Department of Public Health, in collaboration with interested environmental groups and sewer system owner/operators, the Department of Beaches and Harbors, Fire Department/Lifeguard Division, and Los Angeles Regional Water Quality Control Board, to define the mandatory timeframe for reporting a sewage spill to the County's Public Health Officer.

Status: IMPLEMENTED

On January 25, 2007, Public Health sent letters regarding the reporting of sewage spills to all cities in the County of Los Angeles. The purpose of the letter was to remind cities of their obligations under the California Health and Safety Code to report sewage spills immediately to the Public Health Officer. During February and March 2007, Public Health held meetings with various stakeholders, including interested environmental groups to discuss the January 2007 Sewage Spill Report. A sub-group was formed to develop a spill reporting timeline requirement, but the sub-group could not reach consensus on a timeline.

Although the sub-group could not reach a consensus on a timeline, on July 6, 2007, Public Health provided some guidance and issued another letter to its 85 contract cities² and the County's three NPDES permittees (i.e., Department of Public Works, County Sanitation Districts and the City of Los Angeles Bureau of Sanitation) to notify them that all sewage discharges entering "waters of the state," or that may enter "waters of the state," must be reported to the Public Health Officer within 15 minutes of the discharge or knowledge of the discharge. Public Health has included this sewage spill reporting guideline in its revised educational brochure, which it plans to distribute in March 2008 to all owners/operators of sanitary sewer systems in the County and all of its contract

² The cities of Long Beach, Pasadena, and Vernon provide their own environmental health services and do not contract with the County Department of Public Health for environmental health services.

cities. It also plans to mail a similar brochure to restaurant owners/managers and multi-unit housing complex owners later this month.

Recommendation #5

To make the mandatory sewage spill reporting timeframe an enforceable requirement in Los Angeles County, the Board of Supervisors consider requesting the Los Angeles Regional Water Quality Control Board to amend the Waste Discharge Requirements (WDR) to include a requirement that specifies when the County's Public Health Officer should be notified of a sewage spill.

Status: IMPLEMENTED (Additional State Action Required)

In the April 4, 2007 letter, your Board also requested that the Regional Water Board amend the WDR to include a requirement that specifies when the County's Public Health Officer should be notified of a sewage spill. However, prior to this letter, in February 2007, the Regional Water Board's Executive Officer directed all Los Angeles County Publicly Owned Treatment Works (POTW) NPDES permittees³ to notify local health officials within two hours of a sewage spill.

To ensure that all non-POTW sanitary sewer system operators are also required to report sewage spills to the County's Public Health Officer within two hours of a sewage spill, the Regional Water Board's Executive Director sent a letter on July 19, 2007 to the State Water Board requesting that it amend the statewide WDR to include the two-hour reporting requirement. All federal and state agencies, municipalities, counties, districts, and other public entities that own or operate sanitary sewer systems greater than one mile in length that collect and/or convey untreated or partially treated wastewater to a POTW in the State of California are required to comply with the statewide WDR. As of the date of this report, the State Water Board has not yet amended the statewide WDR.

Recommendation #6

The Board of Supervisors instruct the Department of Public Health, in consultation with the Public Health Commission, to develop an educational program for owners/operators of sanitary sewer systems, which shall include, but not be limited to, clarification on how soon the public health officer must be contacted after a spill and the names and telephone numbers of all County representatives that should be notified following a sewage spill.

Status: PARTIALLY IMPLEMENTED

On September 27, 2007, Public Health met with the Public Health Commission (Commission) to provide an overview of the Department's proposed educational program, which primarily consists of brochures and posters. At the Commission's October 25, 2007 meeting, the Commission members, including Auditor-Controller staff, provided Public Health with input on its proposed sewage spill educational program.

³ The Los Angeles Regional Water Quality Control Board's National Pollutant Discharge Elimination System (NPDES) permit acts as the Waste Discharge Requirements (WDR) for Publicly Owned Treatment Works (POTWs) within its jurisdiction.

Public Health made the suggested revisions and at the Commission's December 13, 2007 meeting, it approved Public Health's revised brochures and posters.

On January 4, 2008, Public Health distributed copies of the revised brochures and posters to key stakeholders, including the County Department of Public Works, County Sanitation Districts, Los Angeles City Bureau of Sanitation, Heal the Bay, and Santa Monica Baykeeper for review and comments. The brochures include the sewage spill notification requirements and contact telephone numbers for reporting sewage spills to the County Department of Public Health, the Governor's Office of Emergency Services, the Los Angeles Regional Water Board, the County Department of Public Works, the County Sanitation Districts, and the Los Angeles City Bureau of Sanitation. The posters include the contact telephone numbers for reporting sewage spills to the Los Angeles County Department of Public Health and the Governor's Office of Emergency Services.

Public Health plans to distribute the brochures and posters to all Los Angeles County sanitary sewer owners/operators, including all cities within the County, during March 2008. Accompanying these materials will be instructions for the sewer owners/operators to distribute the material to all contractors upon issuance of construction work permits. The Department of Public Health also plans to mail a similar brochure to both owners/managers of restaurants and owners of multi-unit housing complexes in March 2008.

Recommendation #7

The Board of Supervisors consider seeking an amendment to the Water Code to include a requirement that the local public health officer be immediately notified in the event of a sewage spill.

Recommendation #8

The Board of Supervisors consider seeking a change in State law to permit civil fines to be imposed on persons who do not immediately notify the local public health officer when a sewage spill occurs.

Status: IMPLEMENTED

Your Board sponsored Assembly Bill 800 (Assemblymember Ted Lieu, Author) and on October 10, 2007, Governor Schwarzenegger signed AB 800 into law. AB 800 amends Water Code Section 13271. This section of the Water Code requires a person, without regard to intent or negligence, who permits or causes the discharge of sewage or waste in or on any "waters of the state" to notify the Governor's Office of Emergency Services (OES) as soon as possible after they have knowledge of the discharge, and the OES in turn notifies the local health officer (LHO) or director of environmental health (DEH). AB 800 amended this statute to make clear that notification to OES does not nullify the discharger's obligation to immediately notify the LHO or DEH as required by Section 5411.5 of the Health and Safety Code.

As amended on April 9, 2007, the original draft of Assembly Bill 800 also included a provision to permit civil fines to be imposed on persons who did not immediately notify the LHO or DEH. However, this provision was removed during the legislative process and is not contained in the bill signed by the Governor. However, according to Public Health, Assemblymember Lieu has expressed interest in introducing additional legislation to address sewage spills and the notification of the LHO and DEH.

Recommendation #9

The Board of Supervisors instruct the Department of Public Health to provide the County operator with an emergency contact list that contains the names and telephone numbers of at least three employees who will be on-call to receive reports of sewage spills after normal business hours and to ensure that the contact list is always accurate and up-to-date.

Recommendation #10

The Board of Supervisors instruct the Department of Public Health to instruct the County operator in writing to report all sewage spills to an employee listed on the emergency contact list and to make repeated telephone calls if necessary until an employee is reached, and to discontinue the practice of leaving messages on voicemail or answering machine systems.

Status: IMPLEMENTED

On February 13, 2007, Public Health provided the County Operator with an emergency contact list that contained the names and telephone numbers of seven Public Health staff members/managers on-call to receive reports of sewage spills after normal business hours. Public Health procedures require its Environmental Health Division to update the list as changes occur (i.e., staffing and/or telephone numbers), or at least twice each year.

Public Health also instructed the County Operator in writing to report all sewage spills regardless of the amount, location, or disposition to an employee on the emergency contact list and if necessary, continue the reporting process until an employee is reached rather than leave a message. Since implementing this recommendation, the County Operator has been successful in reaching Environmental Health staff to report sewage spills.

Recommendation #11

The Board of Supervisors instruct the Department of Public Health to develop policies and procedures to centralize the reporting and tracking of all sewage spills within the Department's Recreational Health Program.

Status: IMPLEMENTED

On February 1, 2007, all staff members of Public Health's Environmental Health Water Quality Program (Water Quality Program) received training on receiving sewage spill

reports from the County Operator and responsible agencies and on the requirements for immediately notifying Public Health management of significant spills. In addition, the Department developed a "Sewage Discharge Incident Report Form" to be completed by all Environmental Health units when responding to a sewage discharge incident. Under this approach, all Environmental Health inspectors who learn of sewage discharges from any source, such as a multi-unit housing complex or restaurant, which may potentially impact waters of the State, must report it to the Water Quality Program staff.

On March 15, 2007, newly assigned staff to the Water Quality Program received training on protocols for reporting sewage spills. On March 16, 2007, the Acting Director of Environmental Health issued a directive to all staff implementing the new reporting procedures, which were reinforced with unit supervisors in meetings on March 29, 2007.

Recommendation #12

The Board of Supervisors instruct the Department of Public Health to require Recreational Health Program to immediately begin documenting and tracking all reports of sewage spills, and providing reference/tracking numbers to persons reporting sewage spills.

Status: IMPLEMENTED

On May 1, 2007, Public Health initiated a web-based sewage discharge tracking database that allows Environmental Health staff to post updated information on its website. The website allows the public to query sewage discharges according to the date, location, and volume. In addition, consistent with discussions with the Public Health Commission and Auditor-Controller staff, the website also indicates the final disposition of discharged sewage and the action taken by Public Health. The database system automatically assigns a tracking number to all reports of sewage spills. A tracking number is issued to the reporting party at the time of the report is made or at the earliest practical time if the report is made after hours or on the weekend. In those instances, the reporting party is advised that they may call back on the first business day after the incident to obtain a tracking number.

Recommendation #13

The Board of Supervisors instruct the Department of Beaches and Harbors and the Fire Department to submit a reimbursement claim to the Los Angeles County Sanitation Districts for costs incurred in responding to the January 2006 Manhattan Beach sewage spill.

Status: IMPLEMENTED

On February 20, 2007, the Fire Department submitted a reimbursement claim to the Los Angeles County Sanitation Districts in the amount of \$3,148. On March 5, 2007, the Department of Beaches and Harbors submitted a reimbursement claim to the Sanitation Districts in the amount of \$11,055. The Sanitation Districts paid both claims in-full in March 2007.

Recommendation #14

The Board of Supervisors consider requesting the Governor to appoint someone with an expertise in public health to fill the vacant membership position on the Los Angeles Regional Water Board.

Recommendation #15

The Board of Supervisors consider seeking an amendment to the Water Code to require that at least one of the Water Board's seven membership categories include someone with a public health background.

Status: IMPLEMENTED (Additional State Action Required)

On April 4, 2007, your Board sent a letter to Governor Schwarzenegger, which included a copy of the Auditor-Controller's Sewage Spill Report, requesting amendments to State law to require at least one Regional Water Board member to have a public health background.

As previously mentioned, your Board also sponsored AB 800, which contained a provision that would have required one appointee to the Regional Water Quality Control Board to have a special competence in the area of public health. However, this provision was removed during the legislative process and on May 15, 2007, your Board instructed the County's Legislative Advocate to continue to pursue the addition of a member with public health expertise on the Regional Water Board separately from the County's efforts as the sponsor of AB 800.

Recommendation (from the March 30, 2007 Report)

The Board of Supervisors instruct the Department of Public Health, in conjunction with the Public Health Commission, the Auditor-Controller, and County Counsel to determine whether new State laws are needed to ensure the protection of public health when sewage spills discharge into dry riverbeds that are near residential communities.

Status: IMPLEMENTED

Public Health, in conjunction with the Public Health Commission, Auditor-Controller, and County Counsel met to discuss whether new State laws are needed to ensure the protection of the public when sewage spills discharge into dry riverbeds that are near residential communities.

In summary, the law requires notification of sewage spills into "waters of the state" or which will probably enter "waters of the state." The determination of whether a dry river bed would be considered part of the "waters of the state," will likely be a factual determination based on whether the dry river bed becomes wet with some frequency and the likelihood that a sewage spill could percolate into ground water. Due to the uncertainty that this case by case analysis may cause, the County might consider

implementing an alternative means of enforcement if it desires to broaden the sewage spill notification requirements.

Since data does not exist on how often sewage spills discharge into dry riverbeds, Public Health has proposed tracking and monitoring such occurrences to determine if there is a need for "clarifying legislation" or the establishment of a new law. In addition, as part of its educational program (see Recommendation #6 above), Public Health plans to encourage sanitary sewer owners/operators to report all spills, including those that are discharged into dry riverbeds, to the County's Public Health Officer.

COMMENTS AND ADDITIONAL RECOMMENDATIONS

At its January 30, 2007 meeting, the Board of Supervisors also instructed the Auditor-Controller to provide recommendations of what further action may be needed. Below are our additional recommendations to the Department of Public Health.

Comments

As noted earlier in this report, the County has fully implemented 15 of the 16 recommendations contained in the January and March 2007 Sewage Spill Reports. Only one recommendation (Recommendation #6) remains partially implemented. However, our follow-up review determined that for five recommendations (Recommendations #1, #2, #3, #5 and #15) additional State action is required to fully implement the intent of these recommendations. For example, Recommendation #2 requires the Los Angeles Regional Water Board to convene a work group of key stakeholders to develop specific maintenance standards for owners/operators of sanitary sewer systems. To ensure that this and other recommendations are implemented, the Department of Public Health in coordination with the Public Health Commission and the Chief Executive Office need to follow-up with the Regional and State Water Boards, as appropriate.

Additional Recommendations

Department of Public Health management:

- 1. Follow-up with the Regional and State Water Board's Executive Director to learn the outcome of your Board's requests at their Management Coordinating Committee meeting, and continue to monitor these issues until they are addressed.**
- 2. Pursuant to Recommendation 15, work with and monitor the County Legislative Advocate's efforts to continue to pursue the addition of a Regional Water Board Member with Public Health expertise.**

Comments

The law requires both the Governor's Office of Emergency Services (OES) and the person⁴ responsible who permits or causes sewage to be discharged to immediately notify the local health officer or director of environmental health of sewage discharges. We noted this does not always occur.

As part of our follow-up review, we examined the websites of OES and Public Health and compared the number of sewage spills reported to each agency for calendar year 2007. We noted 43 instances where sewage spills were reported to OES, but not to Public Health. The reported spills ranged from one gallon to 20,000 gallons.

Failure to report sewage spills as required negatively impacts Public Health's ability to protect the public in the event of a sewage spill. Therefore, Public Health management should perform at least quarterly reviews of OES' website to determine the existence of sewage spills that are reported to OES, but not reported to the County Public Health Officer. If unreported sewage spills are identified, Public Health management should send letters to both the discharger and OES to remind them of their legal responsibilities.⁵ As appropriate, Public Health management should consult County Counsel regarding the enforcement of the State's sewage spill notification requirements.

Additional Recommendations

Department of Public Health management:

- 3. At least quarterly, review the Governor's Office of Emergency Services' website to determine whether sewage spills are being reported to the County Public Health Officer.**
- 4. Send letters to dischargers and the Governor's Office of Emergency Services to remind them of their legal responsibility to notify the County Public Health Officer of sewage spills.**
- 5. As appropriate, consult County Counsel regarding the enforcement of the State's sewage spill notification requirements.**

⁴ A "person" in the Health and Safety Code is defined to include any city, county, district, the State, or any department or agency thereof.

⁵ Non-reporting of sewage spills to the State Office of Emergency Services (who is then required to notify the Regional Water Board, local health officer and director of environmental health) under Water Code Section 13271 is punishable by a fine of not more than \$20,000, imprisonment for not more than one year, or both. Under Health and Safety Code Section 5411.5, a "person" who fails to immediately notify the local health officer in the event of sewage spills is guilty of a misdemeanor and is punishable by fine of not less than \$500, but no more than \$1,000, or imprisonment for less than one year, or both.

Comments

Public Health has worked with the County Public Health Commission in developing educational brochures/posters to be distributed to owners/operators of sanitary sewer systems. As of the date of this report, the brochures/posters have not yet been finalized. Therefore, we recommend that, within 90 days, the Department of Public Health report to the Board of Supervisors on the status of the educational brochures/posters, including what action has been taken to finalize/distribute the brochures/posters, feedback from sanitary sewer systems owners/operators, and any recommendations for improving these educational materials.

Additional Recommendation

- 6. Department of Public Health management report back to the Board of Supervisors in three months on the status of the educational brochures/posters, including what action has been taken to finalize/distribute the brochures/posters, feedback from owners/operators of sanitary sewer systems, and any recommendations for improving these educational materials.**

Comments

In February 2007, the Regional Water Board directed all NPDES permittees to notify the local health officials within two hours of a sewage spill. In July 2007, Public Health issued a "guidance letter" to all Public Health's 85 contract cities and three sewer agencies in the County to notify them that sewage spills must be reported to the Public Health Officer within 15 minutes of the discharge. Water Code Section 13271 requires dischargers to report sewage spills immediately to the Governor's Office of Emergency Services.

Sewage Spill Reporting Protocols for Dischargers			
	Regional Water Board	Department of Public Health	Office of Emergency Services
Protocols	2 Hours ⁽¹⁾	15 Minutes ⁽²⁾	Immediately ⁽³⁾
⁽¹⁾ This timeframe currently applies only to Los Angeles County Publicly Owned Treatment Works (POTW) NPDES permittees.			
⁽²⁾ DPH interprets the State's reporting requirement (i.e., "immediately") as 15 minutes of the discharge or knowledge of the discharge. DPH has included this reporting guideline in its revised educational brochure, which it plans to distribute in March 2008.			
⁽³⁾ Water Code 13271 requires immediate notification to OES as soon as (A) that person has knowledge of the discharge, (B) notification is possible, and (C) notification can be provided without substantially impeding cleanup or other emergency measures.			

To help minimize confusion regarding the various notification requirements, Public Health management, in collaboration with the County Public Health Commission, should work with the Regional Water Board to develop and distribute a chart that shows the

timeline requirements for reporting sewage spills to agencies such as the Department of Public Health, Regional Water Board, and Governor's Office of Emergency Services.

Additional Recommendation

- 7. Department of Public Health management in collaboration with the County Public Health Commission, work with the Regional Water Board in developing and distributing a sewage spill notification chart that shows the timeline requirements for reporting sewage spills to agencies such as the Department of Public Health, Regional Water Board, and Governor's Office of Emergency Services.**

Acknowledgements

We would like to thank the Public Health Commission, the Department of Public Health, County Counsel, the Internal Services Department, and the Los Angeles Regional Water Quality Control Board for their cooperation and assistance throughout our follow-up review.

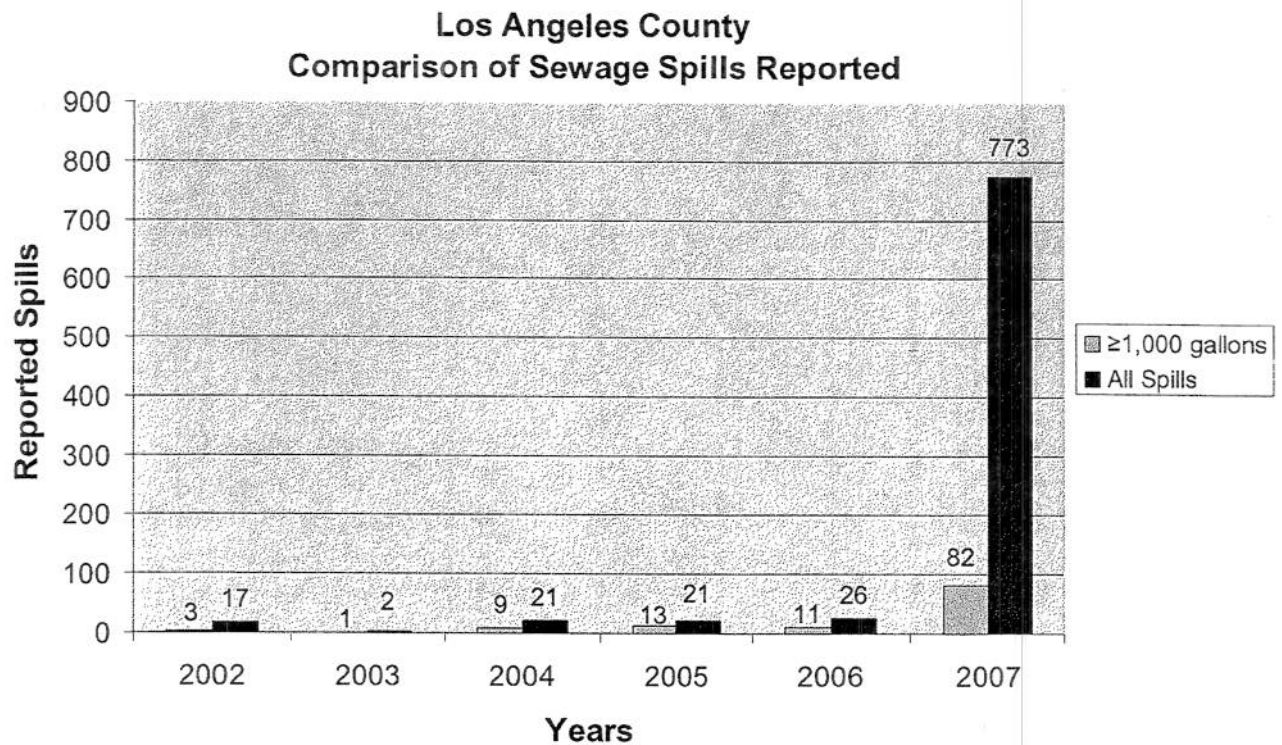
The Department of Public Health's management indicates general agreement with the results of the follow-up review and our additional recommendations. Please let me know if you have any questions, or your staff may contact DeWitt Roberts at (213) 974-8593.

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Attachment

c: County of Los Angeles

Public Health Commission
William T Fujioka, Chief Executive Officer
Jonathan E. Fielding, Director and Health Officer, Department of Public Health
Raymond G. Fortner, Jr., County Counsel
Dave Lambertson, Director, Internal Services Department
P. Michael Freeman, Fire Chief/Lifeguards
Stan Wisniewski, Director, Beaches and Harbors
Donald L. Wolfe, Director, Department of Public Works
Steven Maguin, Chief Engineer and General Manager, County Sanitation Districts
Sachi A. Hamai, Executive Officer, Board of Supervisors
Public Information Office
Tracy J. Egoscue, Executive Officer, Los Angeles Regional Water Quality Control Board
Henry Renteria, Director, Governor's Office of Emergency Services
Enrique Zaldivar, Director, City of Los Angeles Bureau of Sanitation
Ronald Arias, Director, City of Long Beach Health and Human Services
Lewis Pozzebon, Director, City of Vernon Environmental Health
Mel Lim, Director, City of Pasadena Environmental Health
Mark Gold, Director, Heal the Bay
Tom Ford, Baykeeper, Santa Monica Baykeeper



This comparison chart shows that there has been a significant increase in the reporting of sewage spills to the Los Angeles County Department of Public Health during calendar year 2007 compared to prior years. The reporting of sewage spills for 2007 alone exceeded the combined total of sewage spills reported during the preceding five year period. As shown above, from calendar year 2002 through calendar year 2006, the Department received only 87 spill reports compared to 773 reports during calendar year 2007.